

THE UNIVERSITY
OF ILLINOIS
LIBRARY

9328.773B

Ih

v. 52

no. 651-868

cop. 2

This book has been DIGITIZED
and is available ONLINE.

UNIVERSITY OF ILLINOIS LIBRARY

JAN 26 1922





- 1 Introduced by Mr. Scanlan, April 14, 1921.
- 2 Read by title, ordered printed and referred to Committee on Insurance.

UNIVERSITY OF ILLINOIS LIBRARY
JAN 26 1922

A BILL

For an Act to amend Section 12a of an Act entitled, "An Act concerning the business of Casualty Insurance," approved April 21, 1899, in force July 1, 1899, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That Section 12a of an Act entitled, "An Act concerning the business of Casualty Insurance," approved April 21, 1899, in force July 1, 1899, as amended, be and the same is hereby amended to read as follows:

Sec. 12a. That in determining the condition of any corporation, company, association or aggregation of individuals transacting any business of casualty insurance in this State, whether organized within or without this State, the Department of Trade and Commerce, herein called "Department" shall charge as liabilities all outstanding indebtedness and the premium reserve on policies in force equal to the unearned portions of the gross premiums charged for covering the risks computed on each respective risk from the date of issuance of

the policy: *Provided, however,* that this bill shall not apply to any such corporation, company or association operating in this State under the provisions of an Act entitled, "An Act to incorporate companies to do the business of life or accident (insurance on the assessment plan and to control such) companies of this State and of other States doing business in this State, and to repeal a certain Act therein named, and providing and fixing the punishment for violation of the provisions thereof," approved June 22, 1893, in force July 1, 1893. There shall also be charged as a liability to each such corporation, company, association or aggregation of individuals which has issued any policy, of liability, workmen's compensation or other casualty insurance, additional reserves which shall be fully adequate to meet all liabilities not otherwise provided for and shall be computed in a manner and on a basis conforming as nearly as may be practicable to the general practice throughout the United States, as far as the same shall be prescribed or approved by the Department.

Except as otherwise ordered, the liability for such additional reserves shall be determined and charged as follows:

1. For all liability suits being defended under policies written more than:

(a) Ten years prior to the date as of which the statement is made, one thousand five hundred dollars for each suit.

(b) Five and less than ten years prior to the date as of which the statement is made, one thousand for each suit.

(c) Three and less than five years prior to the date as of which the statement is made, eight hundred and fifty dollars for each suit.

2. For all liability policies written during the three years immediately preceding the date as of which the statement is made, such reserve shall be sixty per centum of the earned liability premiums of each such three years less all loss and loss expense payments made under liability policies written in the corresponding years; but in any event, such reserve shall, for the first of such three years, be not less than seven hundred and fifty dollars for each outstanding liability suit on said year's policies.

38 3. For all compensation claims under policies written more than three
39 years prior to the date as of which the statement is made, the present values
40 at four per centum interest of the determined and the estimated future
41 payments.

42 4. For all compensation under policies written in the three years immedi-
43 ately preceding the date as of which the statement is made, such reserve shall
44 be sixty-five per centum of the earned compensation premiums of each of such
45 three years, less all loss and loss expense payments made in connection with
46 such claims under policies written in the corresponding years; but in any
47 event in the case of the first year of any such three-year period such reserve
48 shall not be less than the present value at four per centum interest of the de-
49 termined and estimated unpaid compensation claims under policies written dur-
50 ing such year.

51 5. The term "earned premiums" as used herein shall include gross pre-
52 miums charged on all policies written, including all determined excess and
53 additional premiums *less reinsurance premiums and premiums on policies can-*
54 *celled*, and less unearned premiums on policies in force, and in case of com-
55 panies or associations or aggregations of individuals transacting business upon
56 the participating plan, less any portion of the premium so charged which is
57 returned or credited to policyholders, a schedule of which return or credit has
58 been filed with and has not been disapproved by the Department.

59 6. The term "compensation" as used in this Act shall relate to all insur-
60 ances effected by virtue of statutes providing compensation to employes for
61 personal injuries irrespective of fault of the employer. The term "liability"
62 shall relate to all insurance, except compensation insurance, against loss or
63 damage from accident to or injuries suffered by an employe or other person
64 and for which the insurer is liable.

65 7. The terms "loss payments" and "loss expense payments" as used
66 herein shall include all payments to claimants, including payments for medical
67 and surgical attendance, legal expenses, salaries and expenses of investigators,

68 adjusters and field men, rents, stationery, telegraph and telephone charges,
69 postage, salaries and expenses of office employees, home office expenses, and all
70 other payments made on account of claims, whether such payments shall be
71 allocated to specific claims or unallocated.

72 8. All unallocated liability loss expense payments made in a given calen-
73 dar year subsequent to the first four years in which an insured has been issu-
74 ing liability policies shall be distributed as follows: Thirty-five per centum
75 shall be charged to the policies written in that year, forty per centum to the
76 policies written in the preceding year, ten per centum to the policies written
77 in the second year preceding, ten per centum to the policies written in the third
78 year preceding and five per centum to the policies written in the fourth year
79 preceding, and such payments made in each of the first four calendar years in
80 which an insurer issues liability policies shall be distributed as follows: In
81 the first calendar year one hundred per centum shall be charged to the policies
82 written in that year, in the second calendar year fifty per centum shall be
83 charged to the policies written in that year and fifty per centum to the policies
84 written in the preceding year, in the third calendar year, forty per centum
85 shall be charged to the policies written in that year, forty per centum to the
86 policies written in the preceding year and twenty per centum to the policies
87 written in the second year preceding, and in the fourth calendar year thirty-
88 five per centum shall be charged to the policies written in that year, forty per
89 centum to the policies written in the preceding year, fifteen per centum to the
90 policies written in the second year preceding, and ten per centum to the poli-
91 cies written in the third year preceding, and a schedule showing such distribu-
92 tion shall be included in the annual statement.

93 9. All unallocated compensation loss expense payments made in a given
94 calendar year subsequent to the first three years in which an insurer has been
95 issuing compensation policies shall be distributed as follows: Forty per centum
96 shall be charged to the policies written in that year, forty-five per centum to
97 the policies written in the preceding year, ten per centum to the policies written


98 in the second year preceding and five per centum to the policies written in the
99 third year preceding, and such payments made in each of the first three calen-
100 dar years in which an insurer issues compensation policies shall be distributed
101 as follows: In the first calendar year one hundred per centum shall be charged
102 to the policies written in that year, in the second calendar year fifty per centum
103 shall be charged to the policies written in that year and fifty per centum to the
104 policies written in the preceding year, in the third calendar year forty-five per
105 centum shall be charged, to the policies written in that year, forty-five per
106 centum to the policies written in the preceding year and ten per centum to
107 the policies written in the second year preceding, and a schedule showing such
108 distribution shall be included in the annual statement.

109 10. Whenever, in the judgment of the Department, the liability or compen-
110 sation loss reserved of any insurer under its supervision, calculated in accord-
111 ance with the foregoing provisions, are inadequate, the Department may, in its
112 discretion, require such insurer to maintain reserves based upon estimated in-
113 dividual claims.

114 11. Each insurer that writes liability or compensation policies shall in-
115 clude in the annual statement required by law a schedule of its experience
116 thereunder in such form as the Department may prescribe.

Sec. 2. The title of said Act shall be amended to read as follows: "An
2 Act concerning the business of casualty insurance."

REPRODUCED BY THE
INTERNET ARCHIVE



Digitized by the Internet Archive
in 2014

<https://archive.org/details/housebills5265illi>



- 1 Introduced by Mr. Flagg, April 14, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Section 8 of an Act entitled, "An Act in relation to motor vehicles and to repeal a certain Act therein named," approved June 30, 1919, in force January 1, 1920.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That Section 8 of an Act entitled, "An
3 Act in relation to motor vehicles and to repeal a certain Act therein named,"
4 approved June 30, 1919, in force July 1, 1920, be, and the same is, hereby
5 amended to read as follows:

Sec. 8. Every owner of a vehicle of the first division, as described in sec-
2 tion 2 of this Act, which shall be driven in this State, shall, except as otherwise
3 provided in this Act, within ten days after he becomes the owner of such
4 motor vehicle or motor bicycle, file in the office of the Secretary of State an
5 application for a certificate of registration properly sworn to, setting forth his
6 name and address, with a brief description of the vehicle, or bicycle, to be regis-
7 tered, including the name of the maker, factory and engine numbers, style of

8 vehicle or bicycle and the motor power and (except in the case of electrically
9 propelled vehicles) the amount of such motor power stated in figures of horse
10 power in accordance with such standard rating as may be prescribed by the
11 Secretary of State, *and also (if a motor vehicle equipped with electric lights)*
12 *specifying whether said motor vehicle is equipped with proper device for dim-*
13 *ming headlights or with anti-glare lenses, as required in Section 16 of this Act,*
14 on a blank to be prepared and furnished by such Secretary of State for that
15 purpose and shall pay to said Secretary of State, for each calendar year from
16 and after January 1, 1920, a registration fee for motor bicycles and motor
17 vehicles of said first division, so registered, at the following rates: For each
18 motor bicycle, the sum of \$4.00 per annum; for each motor vehicle of 25 horse-
19 power, and less, the sum of \$8.00 per annum; for each motor vehicle of 35
20 horsepower and more than 25 horsepower, the sum of \$12.00 per annum; for
21 each motor vehicle of 50 horsepower and more than 35 horsepower, the sum
22 of \$20.00 per annum; for each motor vehicle of more than 50 horsepower, the
23 sum of \$25.00 per annum; for each and every electrically propelled motor
24 vehicle, the sum of \$12.00 per annum: *Provided*, the first registration fee for
25 each motor vehicle or motor bicycle shall be reduced 50 per cent if payable dur-
26 ing the second half of the calendar year, and that no certificate for re-registra-
27 tion shall issue for a less sum than the fee required for a calendar year. Said
28 registration shall be made on the date the application is received and filed by
29 the Secretary of State and expire with the last day of the calendar year in
30 which such registration is made. Upon the filing in the office of the Secretary
31 of State of said application and the payment of the registration fee, as herein-
32 before provided, the Secretary of State or his duly authorized agent, shall,
33 without further fee, assign to such motor vehicle, or motor bicycle, as described
34 in such application, a distinctive number and shall issue to the owner of such
35 motor vehicle or motor bicycle, as it is described in the application filed, a
36 certificate of registration, which certificate shall be in form of a card, which
37 may be carried in the pocket, and which certificate shall contain the descriptive

38 number so assigned to such motor vehicle or motor bicycle, the name and ad-
39 dress of the owner, a brief description of such motor vehicle or motor bicycle,
40 stating the name of the manufacturer, the kind of motor power, and the amount
41 of such motor power stated in figures of horsepower or the capacity of such
42 motor vehicle or motor bicycle if electrically propelled. Upon filing in the office
43 of the Secretary of State an affidavit to the effect that the original front or rear
44 motor vehicle number plate or original motor bicycle number plate is lost, stolen,
45 or destroyed, a duplicate certificate of registration or duplicate motor bicycle
46 number plate will be furnished at 50 cents each and a duplicate front and rear
47 motor vehicle number plate will be furnished at \$1.00 each. The Secretary of
48 State shall keep separate alphabetical lists of all owners of motor vehicles of
49 the first division, and all owners of motor vehicles of the second division, with
50 the address of each, the registration number, the date of filing of the applica-
51 tion and the description of the motor vehicle or motor bicycle; and shall not
52 thereafter assign a number once assigned to a motor vehicle or a motor bicycle
53 owned by any other person, if the owner of the motor vehicle or motor bicycle
54 to whom such number was first assigned shall, not less than twenty (20) days
55 prior to the expiration of said registration, file an application accompanied by
56 the fees herein specified for the registration or re-registration of a motor
57 vehicle or motor bicycle and request the assignment of said number to a motor
58 vehicle or motor bicycle owned by him. The Secretary of State, shall at the
59 end of each calendar month, print and mail to the clerks and the sheriffs of all
60 the counties and to the chiefs of police of cities and towns of five thousand
61 population and over, in this State, copies of lists of registration made in accord-
62 ance herewith showing the number of motor vehicles and the motor bicycles
63 and the names and addresses of the owners thereof.

64 The Secretary of State shall, upon payment of a fee of \$25.00 enter the
65 name of the person, firm or corporation sending the same, upon a list to receive
66 copies of the lists of registration provided for in this section.



- 1 Introduced by Mr. S. B. Turner, April 14, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act in relation to libel.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* A libel within the meaning of this Act is
3 a publication, either by writing, type-writing or printing, or by signs or pictures,
4 or the like, tending to blacken the memory of one who is dead or to impeach the
5 honesty, integrity, virtue or reputation, or to publish the natural defects of one
6 who is alive, and thereby expose him to public hatred, contempt, ridicule or
7 financial injury.

Sec. 2. The malicious publication of a libel shall be deemed a misdemeanor
2 and the person convicted thereof shall be punished by imprisonment for not ex-
3 ceeding one year, or by a fine not exceeding two thousand dollars (\$2,000), or
4 both, in the discretion of the court: *Provided, however,* that when a libel is
5 published by a corporation such corporation, when convicted thereof, shall be
6 punished by a fine not exceeding three thousand dollars (\$3,000).

Sec. 3. The publication of a libel shall be deemed malicious unless the person or corporation publishing the same shall prove that the matter published was so published with good motives and for justifiable ends, and either that the same was true or that its publication was made in the belief that it was true and that the person, or some officer of the corporation making the publication had reasonable grounds for such belief, or, if the same was published in a newspaper, that it was so published without the knowledge or fault and against the wishes of such person, or the officers of such corporation, by another who had no authority from such person or corporation to make the publication, and whose act in so making the publication was disavowed by such person, or the officers of such corporation, immediately upon the publication coming to his or their knowledge.

Sec. 4. On the trial of any criminal or civil action for a libel the truth of the matters set forth in the libel may be inquired into, but shall not amount to a defense unless it was with good motives and for justifiable ends that the said matters charged were published; and, to entitle the defendant to give evidence of the truth of such matters charged as such defense, it shall be necessary for the defendant, at the time of pleading to the information in a criminal action, or at the time of the filing of his defense in a civil action, or within such further time as may be allowed by the court therefor, to file in such action a statement in writing verified by his affidavit, either positive or upon information and belief, alleging the truth of the said matters charged and further alleging the motives with which and ends for which the said matters charged were so published, and setting forth the particular fact or facts relied upon by the defendant to show that such motives were good and such ends justifiable, and upon the trial of the action the defendant shall not be permitted to prove, or the court or jury to consider, any other motives or ends, or any facts bearing upon such motives or ends, than those so alleged.

Sec. 5. In any prosecution, either civil or criminal, for libel it shall not be
2 necessary to prove that the matter complained of has been read or seen by any
3 person other than the author thereof, but it shall be sufficient if it appears that
4 the defendant knowingly displayed it or parted with its immediate custody un-
5 der circumstances which exposed it to be seen or understood by another than
6 himself, or, in case of a libel contained in a newspaper, it shall be sufficient if it
7 appears that a copy of such newspaper containing such libel came into the hands
8 of some person other than the publisher, and proof of the publication of a libel
9 in a single copy of a newspaper shall, in the absence of proof to the contrary,
10 create the presumption that the same libel was contained in every other copy
11 of such newspaper published on the same day and that the number of copies of
12 such newspaper published on said day was not less than the maximum number
13 of copies of the same which had been published on any day within the preceding
14 twelve months. A statement printed in any newspaper purporting to set forth
15 the number of copies thereof published or circulated on any day, or during any
16 period, shall be sufficient proof of the number of copies so published or cir-
17 culated.

Sec. 6. A communication made to a person entitled to, or interested in, the
2 communication by one who is also interested and entitled to make it, or who
3 stood in such relation to the former as to afford a reasonable ground for sup-
4 posing his motive innocent, is a privileged communication and is presumed not
5 to be malicious until the contrary is proven.

Sec. 7. A fair and accurate report published in any newspaper of the pro-
2 ceedings of a public meeting, or (except where neither the public nor a newspa-
3 per reporter is admitted) of any meeting of a vestry, town or city council, school
4 board, or other local public authority formed or constituted under the provis-
5 ions of any law, or of any committee appointed by any of the above mentioned
6 bodies, or any meeting of a committee of either house of the General Assembly,
7 and the publication at the request of any government office or department, officer

8 of state, superintendent of police, of any notice or report issued by him for the
 9 information of the public, shall be privileged unless it shall be proved that such
 10 report or publication was published or made maliciously: *Provided, however,*
 11 that nothing in this section contained shall authorize the publication of any blas-
 12 phemous or indecent matter: *And, provided, further,* that the protection intend-
 13 ed to be accorded by this section shall not be available as a defense in any civil
 14 or criminal action, if it shall be proved that the defendant has been requested
 15 to insert in a conspicuous part of the newspaper, in which the report or other
 16 publication complained of appeared, a reasonable letter or statement by way of
 17 contradiction or explanation of such report or other publication and has refused
 18 or neglected to insert the same: *And, provided further,* that nothing in this sec-
 19 tion contained shall be deemed or construed to limit or abridge any privilege
 20 now by law existing, or to protect the publication of any matter not of public
 21 concern and the publication of which is not made with good motives and for jus-
 22 tifiable ends. For the purposes of this section the phrase, "public meeting,"
 23 shall be held to mean a meeting *bona fide* and lawfully held for lawful purpose
 24 and for the furtherance or discussion of any matter of public concern,
 25 whether the admission thereto be general or restricted.

Sec. 8. A fair and accurate report, in any newspaper, of any proceedings
 2 publicly held before any court exercising judicial authority, shall, if published
 3 contemporaneously with such proceedings, without comments or suggestions by
 4 way of headlines, pictures or otherwise, be privileged: *Provided, however, that*
 5 nothing in this section contained shall authorize the publication of any blas-
 6 phemous or indecent matter, or of any proceedings in any action heard before
 7 any court in private, when such hearing in private is authorized by law.

Sec. 9. Any publication purporting to be a report or statement of any pro-
 2 ceedings had or about to be had, or evidence given or about to be given, before
 3 any grand jury, or other examining body the members of which are forbidden
 4 by law or by the direction of the court to disclose the proceedings had or evi-

5 dence given before them, other than a report made by such grand jury or exam-
6 ining body in open court, or any publication in any manner pertaining to any
7 pending criminal action or proceeding or to the offense therein being prosecuted,
8 other than a correct report, either ~~verbatim~~ or condensed, of the proceedings in
9 court, or before the magistrate, pertaining to such action or proceeding, which
10 report shall not contain, by way of comment, headlines, pictures or otherwise,
11 any expression of opinion as to the guilt or innocence of the person or persons
12 charged with the criminal offense, or of the weight or credibility of the evidence
13 or any portion thereof produced either for or against such accused person, or
14 any comments, intimations or suggestions favorable or unfavorable to such ac-
15 cused person, or any comment, whether favorable or unfavorable, upon the con-
16 duct of the presiding judge or magistrate of the court in which such action or
17 proceeding is pending, or of any attorney at law in any manner connected with
18 such action or proceeding, or of any officer of the court in which such action or
19 proceeding is pending, as to any matter pertaining to or connected with such
20 action or proceeding, is hereby declared unlawful and shall be deemed a mali-
21 cious publication of a libel within the meaning of this Act.

Sec. 10. It shall not be necessary to set out in any information in any crim-
2 inal action, or in any paper filed by the plaintiff in any civil action, instituted
3 against the publisher of any obscene libel, the obscene passages, but it shall be
4 sufficient to deposit the book, newspaper or other documents containing the al-
5 leged libel with the information in a criminal action, or paper filed by the plain-
6 tiff in a civil action, together with particulars showing precisely by reference
7 to the pages, columns and lines in what part of the book, newspaper or other
8 document the alleged libel is to be found and such particulars shall be deemed
9 to form a part of the record and all proceedings may be taken thereon as though
10 the passages complained of had been set out in the information in a criminal
11 action, or in the paper filed by the plaintiff in a civil action.

Sec. 11. A criminal prosecution for libel may be instituted and prosecuted
 2 in any county in which the libel has been published. A civil action for libel, other
 3 than one published in a newspaper, may be commenced and prosecuted either
 4 in the county in which the defendant, if there be but one defendant, or one of the
 5 defendants, if there be more than one defendant, resides, or in any county in
 6 which the libel has been published. A civil action for libel published in a news-
 7 paper may be commenced either in any county in which the newspaper contain-
 8 ing the libel has been circulated, or in any county in which any party to the
 9 action resides.

Sec. 12. A civil action for libel may be brought and maintained by any
 2 person who may be exposed by such publication to public hatred, contempt, ridi-
 3 cule or financial injury, or by any father, mother, son, daughter, brother or sis-
 4 ter of any deceased person whose memory such publication may tend to blacken,
 5 and in every such action the jury, if they find in favor of the plaintiff, may
 6 award the plaintiff such damages, whether actual or punitive, or both, as they
 7 shall deem a fair and just compensation to the plaintiff for the publication of
 8 such libel; and in every such case the jury, in estimating the damages, may take
 9 into account the financial ability of the defendant and, in the case of the publi-
 10 cation of a libel in a newspaper, they may take into account the extent of the cir-
 11 culation of such newspaper and their own knowledge of its power and influ-
 12 ence; and, in a case in which there is more than one defendant, the jury shall
 13 find the total amount of damages to be awarded to the plaintiff, and may, in
 14 their discretion, apportion such damages among the several defendants, or,
 15 when such apportionment is not made by the jury, the same may be made by the
 16 court in which the action is pending so that each defendant may be compelled to
 17 pay such portion of the total damages as the jury, or the court, as the case may
 18 be, may deem just and right.

Sec. 13. The plaintiff in any civil action for libel whenever he is uncertain
 2 as to the name or names of the publisher or publishers of any newspaper in which
 3 there has been published a libel on account of which the action is brought, may

4 name as the defendant, or as one of the defendants, such newspaper by the
5 name by which it is published or known, and may cause the summons to be
6 served upon any superintendent, business manager, foreman or other person
7 concerned in the management of the publication thereof, and whenever the sum-
8 mons is so served, any judgment obtained in the action shall be as valid and
9 binding and enforceable against each and every publisher thereof as if said pub-
10 lisher had been named and served with process in his own name as a defendant;
11 and the court in which any action for libel is brought shall have power, by cita-
12 tion or otherwise, to compel the disclosure of the names of the publisher or
13 publishers of any newspaper in which such libel is alleged to have been published
14 and to cause such publisher or publishers to be named as defendant or defend-
15 ants and served with process in such action.

Sec. 14. No person or corporation made a defendant in a civil action for a
2 libel alleged to have been published in a newspaper shall be permitted to deny
3 upon the trial that he or it was, at the time of the publication of such libel, the
4 publisher or one of the publishers of such newspaper, unless, at the time of
5 filing his or its defense, or within such further time, as may be allowed therefor
6 by the court, such person or corporation shall file a statement in writing, verified
7 by his affidavit, or, in case the defendant is a corporation, by the affidavit of
8 some officer thereof, that such person or corporation was not at such time the
9 publisher or one of the publishers thereof, but in the absence of such statement
10 in writing verified by affidavit as aforesaid, it shall be presumed that every per-
11 son or corporation made a defendant as aforesaid, was, at the time of the pub-
12 lication of such libel, the publisher or one of the publishers of such newspaper.

Sec. 15. No person or corporation made a defendant in a civil action for a
2 libel alleged to have been published in a newspaper shall be permitted to deny
3 upon the trial the publication of such alleged libel, unless at the time of filing
4 his or its defense, or within such further time as may be allowed therefor by the
5 court, such person or corporation shall file a statement in writing, verified by his

6 affidavit, or, in case the defendant is a corporation, by the affidavit of some offi-
 7 cer thereof, denying the publication thereof.

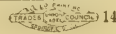
Sec. 16. If any person shall publish or threaten to publish any libel upon
 2 any other person or shall, directly or indirectly, threaten to print or publish, or
 3 shall, directly or indirectly, propose to abstain from printing or publishing, or
 4 shall, directly or indirectly, offer to prevent the printing or publishing, of any
 5 matter or thing touching any other person with intent to extort any money, or
 6 security for money, or any valuable thing, from such or any other person, or with
 7 intent to induce any person to confer, or procure for any person, any appoint-
 8 ment or office of profit or trust, every such offender, upon conviction thereof,
 9 shall be confined in the county jail or workhouse not exceeding eighteen months
 10 or fined not exceeding two thousand dollars (\$2,000), or both, in the discretion
 11 of the court: *Provided, however,* that nothing in this section contained shall in
 12 any manner alter or affect any law in force in respect of the sending or deliv-
 13 ery of threatening letters or writings.

Sec. 17. Any person who wilfully states, delivers or transmits by any
 2 means whatever to any publisher, or employee of a publisher, of any newspaper
 3 any statement concerning any person or corporation, the publication of which
 4 in such newspaper would be a libel, shall be deemed guilty of libel and shall be
 5 subject to both a civil action and a criminal prosecution therefor.

Sec. 18. In the construction of this Act, unless there is anything in the
 2 subject or context repugnant thereto, the several words hereinafter mentioned
 3 shall have and include the meanings following, that is to say: The word "news-
 4 paper" shall mean any paper containing public news, intelligence or occur-
 5 rences, or any remarks or observations therein, printed either for sale or for
 6 gratuitous distribution and published in the United States periodically, or in
 7 parts or numbers at intervals not exceeding four months between the publica-
 8 tion of any two such papers, parts or numbers, or any paper printed in order to
 9 be dispersed, and made public weekly or oftener, or at intervals not exceeding

10 four months, containing only or principally advertisements; the word "pub-
11 lisher", or the words "person publishing," or "party publishing," or "person
12 making the publication," shall mean and include as well the sole proprietor,
13 whether an individual or a corporation or association, of any newspaper as
14 also, in the case of a divided proprietorship, the persons or corporations who,
15 as partners or otherwise, represent and are responsible for any share or inter-
16 est in the newspaper as between themselves and the persons in like manner rep-
17 resenting or responsible for any other shares or interests thereof, including the
18 directors, trustees, or other managing officers of any corporation or association
19 which is either the sole or part proprietor of such other newspaper.

Sec. 19. The invalidity of any portion of this Act shall not affect the valid-
2 ity of any other portion thereof which can be given effect without such invalid
3 part, the intention hereof being that the courts of this State shall presume con-
4 clusively that it is the intention of the General Assembly that all of the provi-
5 sions of this Act which are not, in and of themselves, invalid, shall be given effect
6 notwithstanding the courts, but for the provisions of this section might presume
7 it to be the intention of the General Assembly that the valid portions of this Act
8 should not be given effect unless the portions thereof which are invalid could
9 also be given effect.



1 Adopted May 5, 1921.

AMENDMENT NO. 1.

Amend House Bill No. 653, by adding to Section 11 of the printed bill,
2 after the period at the end of said section, the following: "Process of summons
3 in any civil action begun under this Act, may issue to any one or more counties
4 of the State for any one or more defendants, returnable to the Court where
5 such action is pending, and when such process shall be served upon any defend-
6 ants by the Sheriff of the County to which any such process has been issued
7 and where such dependent may be found, such service shall have the same force
8 and effect as it served within the County where such action or suit is pending.

AMENDMENT NO. 2.

Amend House Bill No. 653, by striking out in line 9 of Section 18, on page 8
2 of the printed bill, the word or letters "xceeding" and insert in lieu thereof
3 the word "exceeding."

AMENDMENT NO. 3.

Amend House Bill No. 653, by adding to said bill, as printed, another Sec-
2 tion to be known as Section 20, to read as follows:

"Sec. 20. All Acts, or parts of Act, inconsistent with the terms of this Act,
2 are hereby repealed, in so far as the same may or do conflict with the terms or
3 provisions of this Act; but, in so far only."



- 1 Introduced by Mr. Perina, April 14, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act requiring that boots and shoes made in certain parts of substitutes for leather, and boots and shoes made by convict or prison labor be stamped, and providing a penalty for failure to so stamp.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* It shall be unlawful within this State for
3 any person, persons or corporation to use in manufacturing any boot or shoe,
4 a counter, heel, in-sole, out sole, middle-sole or slip-sole, made in whole or in
5 part of leather-board, straw-board, leatheroid, fibre-board, horn-fibre, pate or
6 any other substitute for leather whatsoever, without clearly, legibly and in the
7 English language, stamping with a metal die in plain view upon the outside of
8 the out-sole of the boot or shoe where and by whom such boot or shoe was
9 made and what substitute for leather, if any, has been used; and in the same
10 way designating each part where such substitute, if any, has been used, whether
11 in the counter, heel, in-sole, out-sole, middle-sole or slip-sole.

Sec. 2. That it shall be unlawful within this State for any person, persons
 2 or corporation to sell, offer or expose for sale, any boot or shoe with a counter,
 3 heel, in-sole, out-sole, middle-sole or slip-sole, made in whole or in part of leather-
 4 board, straw-board, leatheroid, fibre-board, horn-fibre, pate or any substitute for
 5 leather whatsoever, without clearly, legibly and in the English language stamp-
 6 ing with a metal die in plain view upon the outside of the out-sole of the boot
 7 or shoe, where and by whom such boot or shoe was made and what substitute
 8 for leather, if any, has been used; and in the same way designating each part
 9 where such substitute, if any, has been used, whether in counter, heel, in-sole,
 10 out-sole, middle-sole or slip-sole: *Provided, however,* that all manufacturers or
 11 dealers who may have on hand when this Act becomes a law, any boots or shoes
 12 that are not stamped as required in this Act, must, when offering such boots
 13 or shoes for sale, affix to the out-sole in plain view of the purchaser, a label,
 14 printed clearly and legibly and in the English language, designating what sub-
 15 stitute or substitutes for leather are used, if any, whether in the counter, heel,
 16 in-sole, out-sole, middle-sole or slip-sole.

Sec. 3. This Act shall not be construed to apply to what is commonly
 2 known as a rubber boot or shoe, or to the use of a rubber heel on a boot or
 3 shoe; nor shall anything in this Act be construed to apply to the use of steel,
 4 wood or other substance as an inside filler in the shank of a boot or shoe; nor
 5 shall anything in this Act be construed to apply to the use of cork or cement
 6 between the soles of a boot or shoe.

Sec. 4. It shall be unlawful within this State for any person, persons or
 2 corporation to sell, or offer for sale, any boot or shoe made by convict or prison
 3 labor, without clearly and legibly and in the English language, stamping with
 4 a metal die in plain view upon the outside of the out-sole of the boot or shoe,
 5 the following words: "Made by Convict Labor": *Provided, however,* that all
 6 manufacturers or dealers who may have on hand when this Act becomes a law,
 7 any boots or shoes made by convict or prison labor that are not stamped as

8 required in this Act, must, when offering such boots or shoes for sale, affix to
9 the outer sole, in plain view of the purchaser, a label, printed clearly and
10 legibly and in the English language, reading as follows: "Made by Convict
11 Labor."

Sec. 5. Any person, persons or corporation who shall violate any of the
2 provisions of this Act shall be guilty of a misdemeanor; and for such offense
3 shall, upon conviction thereof, be fined not less than ten dollars and not to
4 exceed two hundred dollars; and for each subsequent offense and conviction
5 thereof, shall be fined not less than two hundred dollars and not to exceed five
6 hundred dollars, in the discretion of the court.



- 1 Introduced by Mr. Conlon, April 14, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to prohibit the sale or purchase of the meat of female calves under the age of thirty (30) months and to prohibit the sale or purchase of such calves for the purchase of slaughter.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That it shall be unlawful to sell, offer for
3 sale or purchase the meat of any female calf or calves under the age of thirty
4 (30) months. It shall be unlawful to sell, offer for sale or purchase for the
5 purpose of slaughter, any female calf or calves under the age of thirty (30)
6 months.

Sec. 2. Any person, firm or corporation violating the provisions of this Act
2 shall, for the first offense, be punished by a fine of not less than twenty-five
3 dollars (\$25.00) nor more than one hundred dollars (\$100.00), and for each sub-
4 sequent offense shall be fine not less than fifty dollars (\$50.00) nor more than
5 three hundred dollars (\$300.00).



- 1 Introduced by Mr. Hammond, April 14, 1921.
- 2 Read by title, ordered printed and referred to Committee on Agriculture.

A BILL

For an Act to amend an Act entitled, "An Act to prevent the introduction into and the dissemination within this State of insect pests and diseases injurious to the plant products of this State." Filed June 20, A. D. 1917, and in force July 1, A. D. 1917, as amended by an Act approved June 28, A. D. 1919, and in force July 1, A. D. 1919.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act, entitled, "An Act to prevent the introduction and the dissemination within this State of insect pests and diseases injurious to the plan products of this State," in force July 1, A. D. 1917, and as amended by an Act approved June 28, A. D. 1919, and in force July 1, A. D. 1919, be and the same is hereby amended by amending Section 22 thereof and adding thereto Section 22a.

Sec. 22. Any person or persons affected by any rule, regulation, notice or order given pursuant to this Act may separately or jointly appeal therefrom to the Circuit Court of a county in which such person resides for the purpose of

4 having such rule, regulation, notice or order modified, suspended or vacated.
 5 Appeal shall be taken within twenty days from the date such person or persons
 6 received notice of the making of such rule, regulation, notice or order, by the
 7 filing with the Clerk of the Circuit Court a notice of such appeal and it shall be
 8 the duty of the clerk to forthwith transmit a copy thereof to the State Depart-
 9 ment of Agriculture. The filing of said notice shall act as a stay of the proceed-
 10 ings until there is a hearing and decision of said Court. If the decision of said
 11 Court sustains the regulation, rule or order of the department and the same is
 12 a rule, regulation or order for the destruction of any indigenous tree, (not in-
 13 cluding trees growing in nurseries) the appellants may separately or jointly
 14 file application with such court to have his or her damages assessed, including
 15 costs of destroying such tree, whereupon it shall be the duty of the court to im-
 16 panel a jury for that purpose and the case shall be tried in the manner now pro-
 17 vided for the assessment of damages in condemnation proceedings. Appeals
 18 may be taken from the final decision of such court in the manner now provided
 19 for appeals in common law cases, providing that appeals shall not delay pro-
 20 ceedings to carry into effect such order, regulation or rule of the Agriculture De-
 21 partment, which is sustained by the court. Damages assessed as herein pro-
 22 vided shall be paid out of the county treasury where such proceedings are insti-
 23 tuted, and it shall be the duty of the clerk of said court to certify such dam-
 24 ages to the county treasurer of such county for payment.

Sec. 22a. If, in the judgment of the Department of Agriculture, or the court,
 2 in case of appeal, it is practical to treat such indigenous trees, classed as orna-
 3 mental trees and standing and growing in a yard, cemetery or private or public
 4 park which is infected with plant disease in such a way as to render them harm-
 5 less, then the same shall not be destroyed, but the Department of Agriculture
 6 or the court, in case of appeal shall order treatment to be made by the owner or
 7 owners of such tree or the person in control thereof, and may appoint an agent
 8 to give such treatment. The Department of Agriculture shall prescribe the
 9 character of the treatment, and anyone whose duty it is to give such treatment

10 and who agrees to do so, and afterwards fails or refuses to do so, or not having
11 so agreed shall refuse to permit such agent to give such treatment shall be guilty
12 of misdemeanor and on conviction shall be fined not exceeding \$200.00.



- 1 Introduced by Mr. Shearer, April 14, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judicial Department
and Practice.

A BILL

For an Act to amend Section 6 of "An Act in regard to evidence and depositions in civil cases," approved March 29, 1872, in force July 1, 1872, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* Section 6 of "An Act in regard to evi-
3 dence and depositions in civil cases," approved March 29, 1872, in force July 1,
4 1872, as amended, is amended to read as follows:

Sec. 6. Any party to any civil action, suit or proceeding may compel any
2 adverse party or person for whose benefit such action, suit or proceeding is
3 brought, instituted, prosecuted or defended, *or the directors, officers, superin-*
4 *tendent or managing agents of any corporation, which is a party to the record*
5 *in such suit,* to testify as a witness at the trial, or by deposition, taken as other
6 depositions are by law required, *as if under cross examination,* in the same
7 manner and subject to the same rules as other witnesses, *but the party calling*
8 *for such examination shall not be concluded thereby, but may rebut the testi-*
9 *mony thus given by counter testimony.*



- 1 Introduced by Mr. Davis, April 20, 1921.
- 2 Read by title, ordered printed and referred to Committee on Agriculture.

A BILL

For an Act to amend "An Act to enable county boards of supervisors in counties under township organization and county commissioners in counties not under township organization to appropriate county funds for use for county poultry exhibitions by societies organized for that purpose," approved May 20, 1915, in force July 1, 1915.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* "An Act to enable county boards of supervisors in counties under township organization and county commissioners in counties not under township organization to appropriate county funds for use for poultry exhibitions by societies organized for that purpose," approved May 20, 1915, in force July 1, 1915, is amended to read as follows:

Sec. 1. It shall be lawful for county boards of supervisors in counties under township organization and for county commissioners in counties not under township organization to appropriate funds for educational purposes from the county treasuries for the use of societies organized for the purpose of giving county

5 exhibitions of poultry in their efforts to promote the adoption of the latest
6 approved methods of propagating the different breeds of poultry and of increas-
7 ing the poultry industry in the various counties of the State. In no case, *how-*
8 *ever*, shall it be lawful for a county board to appropriate more than two hundred
9 and fifty dollars (\$250.00) in any one year for the above purpose.

10 *In any year when a county society organized for the purpose of giving*
11 *exhibitions of poultry shall present to the county board a certified copy of a*
12 *resolution of such society requesting the country board to make an appropriation*
13 *for such purpose, it shall be the duty of the county board to appropriate not less*
14 *than one hundred dollars (\$100.00) for such purpose.*



- 1 Introduced by Mr. Holten April 20, 1921.
- 2 Read by title, ordered printed and referred to Committee on Revenue.

A BILL

For an Act to authorize cities, villages and incorporated towns, having a population of less than 200,000 to levy a tax for the purpose of establishing and maintaining fire departments.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* The legislative authority of each city,
3 village and incorporated town, having a population of less than 200,000,
4 whether organized under the general law or special charter, shall have power
5 to establish and maintain a fire department and may levy and collect annually
6 a tax of not to exceed seven mills on the dollar on all taxable property in the
7 city, village or incorporated town for such purpose. This tax shall be levied
8 and collected in the same manner that the general taxes of the city, village or
9 incorporated town are levied and collected and shall be in addition to the
10 amount authorized to be levied for general purposes as provided by Section 1
11 of Article VIII of "An Act for the incorporation of cities and villages," ap-
12 proved April 10, 1872, in force July 1, 1872, as amended.



- 1 Introduced by Mr. Hopp, April 20, 1921.
- 2 Read by title, ordered printed and referred to Committee on Municipalities.

A BILL

For an Act to amend Section 7 of Article VII of "An Act to revise the law in relation to township organization," approved and in force March 4, 1874, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 7 of Article VII of "An Act to
3 revise the law in relation to township organization," approved and in force
4 March 4, 1874, as amended, is amended to read as follows:

Sec. 7. The town shall supply a suitable ballot box or boxes, to be kept
2 and used in like manner as ballot boxes in other elections. In incorporated
3 towns or incorporated villages whose limits are co-extensive with the limits of
4 a town, or in any organized town where the number of voters at the last preced-
5 ing general election exceeded four hundred and fifty, the *board of town auditors*
6 may require one or more additional ballot boxes and places for the reception of
7 votes to be provided, which places shall be selected with reference to the con-
8 venience of the electors of the town, and the *board of town auditors* in such

9 cases, shall designate at which of said polling places the miscellaneous busi-
10 ness of the town shall be transacted, and shall appoint three persons in each pre-
11 cinct to serve as judges of election: *Provided, however,* that in towns which lie
12 wholly within the limits of an incorporated city, and in any town whose terri-
13 torial limits are co-extensive with the territorial limits of any incorporated
14 city, village or incorporated town, the common council of such city or the board
15 of trustees of such incorporated village or town shall divide such towns into
16 election precincts, and designate the voting place in each precinct, and appoint
17 three judges of election for each precinct, who may be the same persons as are
18 appointed as judges of election for city, town or village officers held on the same
19 day; and shall also designate the place where the miscellaneous business of the
20 town shall be transacted. In such towns it shall be lawful to print or write the
21 names of candidates for city and township officers, on one ballot, and use only
22 one ballot-box at each voting place. And in all towns that are thus divided into
23 voting precincts, it shall be the duty of the town clerk, or if there be no town
24 clerk, it shall be the duty of the county clerk to post up, in three of the most
25 public places of the town, a notice of each of the places in the town where the
26 *board of town auditors*, city council or board of trustees has directed and re-
27 quired the election to be held, and of the place designated for the transaction
28 of the miscellaneous business of the town. The town meeting for the transac-
29 tion of such miscellaneous business in such town shall be held at the hour of
30 two o'clock in the afternoon of said day. At such meeting a moderator shall be
31 chosen to preside, by the electors present, and the town clerk shall act as clerk
32 of said meeting, and keep a record of the proceedings thereof. The judges of
33 election, in their respective precincts, shall cause two persons having similar
34 qualifications with themselves to act as clerks of such election, and said judges
35 and clerks shall conduct such election as nearly as may be in accordance with
36 the general election laws of this State so far as applicable, except that no regis-
37 tration of voters shall be required; and immediately upon closing the polls, they
38 shall canvass the votes polled in the manner provided in the general election

39 law of the State, and make a written statement or certificate of the number of
40 votes cast at such election for each person voted for, and the office for which
41 such person received such votes, and shall within forty-eight hours thereafter
42 cause such certificate and the poll-lists, together with the ballots cast at such
43 election to be separately sealed up and transmitted to the clerk of the town.
44 The supervisor, together with the assessor and town clerk, shall, within five
45 days thereafter, meet and canvass said returns and declare the result of said
46 election. *This section* shall not be construed in any manner to amend, modify
47 or repeal any of the provisions of an Act entitled, "An Act regulating the
48 holding of elections and declaring the result thereof in cities, villages and in-
49 corporated towns in this State," approved June 19, 1885, nor shall the provi-
50 sions of this Act apply to or affect any city, village or incorporated town that
51 has, by vote of the electors thereof, adopted the provisions of the Act last here-
52 inabove mentioned.



- 1 Introduced by Mr. La Porte April 20, 1921.
- 2 Read by title, ordered printed and referred to Committee on Insurance.

A BILL

For an Act to amend Section 1 of "An Act to enable cities, towns and villages, organized under any general or special law to levy and collect a tax or license fee from foreign fire insurance companies for the benefit of organized fire departments," filed May 31, 1895, in force July 1, 1895, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Section 1 of "An Act to enable cities, towns and villages, organized under any general or special law to levy and collect a tax or license fee from foreign fire insurance companies for the benefit of organized fire departments," filed May 31, 1895, in force July 1, 1895, as amended, is amended to read as follows:

Sec. 1. All corporations, companies and associations not incorporated under the laws of this State, and which are engaged in any city, town or village organized under any general or special law of this State, in effecting fire insurance, shall pay to the treasurer of the city, town or village for the maintenance, use and benefit of the fire department thereof, a sum not exceeding two per cent

6 of the gross receipts received by their agency in such city, town or village; and
 7 any city town or village of less than fifty thousand inhabitants, having an organ-
 8 ized fire department, shall cause to be passed an ordinance providing for the
 9 election of officers of such organized fire department, by the department, which
 10 shall include a treasurer, and make all such reules and regulations in respect
 11 thereof and the management of said fund as may be needful; that in all such
 12 cities, towns or villages the treasurer shall pay such sum received from the in-
 13 surance companies to the treasurer of the fire department of the city, town or
 14 village in which it is collected. The treasurer of such fire department shall give
 15 a sufficient bond to the city, town or village in which such fire department is or-
 16 ganized to be approved by the president of the village or mayor, as the case
 17 may be, conditioned for the faithful performance of his duties under the ordi-
 18 nance passed as aforesaid by said city, town or village; and the treasurer of the
 19 fire department shall receive the money so collected and shall pay out the same
 20 upon the order of the said fire department for the purposes of the maintenance,
 21 use and benefit of such department: *Provided*, that in any city, town or village
 22 where a fireman's pension fund is or may be established under other laws of
 23 this State, *one-half* of the amount so collected *shall* be set apart and appropri-
 24 ated by the city, town or village to the fund for the pensioning of disabled and
 25 superannuated members of the fire department, and of the widows and orphans
 26 of deceased members of the fire department of cities, towns and villages having
 27 an organized fire department, *or the whole amount so collected may be set*
 28 *apart and appropriated to such fund by ordinance of such city, town or village.*
 29 Cities, town and villages are hereby empowered to prescribe by ordinance the
 30 amount of tax of license fee to be fixed, not in excess of the above rate, and at
 31 rate such corporations, companies and associations shall pay upon the amount
 32 of all premiums which, during the year ending on every first day of July,
 33 shall have been received for any insurance effected or agreed to be effected in
 34 the city, town or village, by or with such corporation, companies or association
 35 respectively. Every person who shall act in any city, town or village as agent or

36 otherwise, for or on behalf of such corporation, company or association, shall,
37 on or before the fifteenth day of July of each and every year, render to the city,
38 town or village clerk a full, true and just account verified by his oath of all the
39 premiums which, during the year ending on every first day of July preceeding
40 such report, shall have been received by him, or any other person for him in
41 behalf of any such corporation, company or association, and shall specify in
42 said report the amounts received for fire insurance. Such agents shall also pay
43 to the treasurer of any such city, town or village, at the time of rendering the
44 aforesaid report, the amount of rates fixed by the ordinance of the said cities,
45 towns and villages, for which the companies, corporations or associations rep-
46 resented by them are severally chargeable by virtue of this Act, and the ordi-
47 nance passed in pursuance thereof. If such account be not rendered on or be-
48 fore the day herein designated for that purpose, or if the said rates shall re-
49 main unpaid after that day, it shall be unlawful for any corporation, company
50 or association so in default to transact any business or insurance in any such
51 city, town or village until the said requisition shall have been fully complied
52 with; but this provision shall not relieve any company, corporation or associa-
53 tion from the payment of any risk that may be taken in violation hereof.



- 1 Introduced by Mr. Mooneyham, April 20, 1921.
- 2 Read by title, ordered printed and referred to Committee on Public Utilities and
Transportation.

A BILL

For an Act in relation to the construction of overhead bridges, and the approaches thereto, over railroad tracks at highway crossings where the elevation of such highways is, at a distance of one hundred feet each way from the intersection of the highway and the railroad tracks, five feet or more higher than the elevation of the tracks at such intersections.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* In every case where a public highway in-
3 tersects the tracks of any steam or electric railroad, and the elevation of the
4 existing grade of the highway is, at a point one hundred feet each way from
5 the intersection of the center line of the highway and the center line of the rail-
6 road tracks, five feet or more higher than the elevation of the railroad tracks
7 at the center line of the highway, the railroad company operating such railroad
8 shall erect and maintain at its entire expense an overhead bridge over its
9 tracks and shall construct the approaches thereto, and the grade of such
10 approaches shall not exceed a rise of five feet vertical in a horizontal distance

11 of one hundred feet. Such overhead bridges shall be constructed in accordance
12 with the requirements of the Department of Public Works and Buildings for
13 highway bridges, and the plans, specifications and methods of construction for
14 such overhead bridges shall be subject to the approval of the Department of
15 Public Works and Buildings of the State of Illinois. Such overhead bridges and
16 the approaches thereto shall be completed and opened to traffic on or before
17 January 1, 1922.

Sec. 2. Any railroad company which fails to have any such overhead bridge
2 and the approaches thereto constructed as required by Section 1 hereof, and
3 ready for use on or before January 1, 1922, shall, for each day such failure con-
4 tinues thereafter, be fined fifty dollars (\$50) for each overhead bridge with
5 approaches thereto not so constructed and opened to traffic.

Sec. 3. It is the duty of the State's attorney of the county in which any
2 such crossing is located, of the Attorney General, and of highway officials having
3 jurisdiction over such crossing, to prosecute violations of this Act.



- 1 Introduced by Mr. Rice, April 20, 1921.
- 2 Read by title, ordered printed and referred to Committee on Education.

A BILL

For an Act to amend Sections 28 and 34 of an Act entitled, "An Act in relation to an Illinois State Teachers' Pension and Retirement Fund," approved May 27, 1915, in force July 1, 1915.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That Sections 28 and 34 of an Act entitled, "An Act in relation to an Illinois State Teachers' Pension and Retirement Fund," approved May 27, 1915, in force July 1, 1915, be amended to read as follows:

Sec. 28. Annuities payable under the provisions of this Act shall be paid quarterly on the first day of January, April, July and October of each year from the State Teachers' Pension and Retirement Fund, and the Auditor of Public Accounts is authorized and directed to issue his warrants on the State Treasurer, payable from said fund, upon the presentation of vouchers approved by the president and secretary of the board of trustees of said Pension and Retirement Fund: *Provided, however, that persons after becoming entitled to*

8 receive the annuities payable under the provisions of this Act shall not be re-
9 quired to reside in the State of Illinois.

Sec. 34. The term "teacher" as used in this Act, shall include any teacher,
2 teacher-secretary, substitute teacher, supervisor, principal, supervising principal,
3 superintendent or assistant superintendent, who shall teach or be employed in
4 the public schools of this State: *Provided, however,* that service as county
5 superintendent or assistant county superintendent or as teacher in any State
6 school or institution as defined in Section 22 of an Act, entitled *An Act to*
7 *create and administer a State institution teachers' pension and retirement*
8 *fund, filed June 14, 1917, and in force July 1, 1917,* may be counted as a part
9 of the twenty-five years of service required to enable a teacher to receive the
10 annuities provided for in this Act, *subject, however, to all the requirements of*
11 *this Act: And provided, further,* that service as a substitute teacher shall not
12 be counted as a part of the twenty-five years of service required to enable a
13 teacher to receive the annuities provided for by this Act unless the substitute
14 teacher shall be employed for the school year and paid monthly for such service.



- 1 Introduced by Mr. Williston April 20, 1921.
- 2 Read by title, ordered printed and referred to Committee on Municipalities.

A BILL

For an Act to amend an Act entitled "An Act to provide for the creation, setting apart, formation, administration and disbursement of a Park Employes' Annuity and Benefit Fund," approved June 21, 1919, in force July 1, 1919, as amended, by amending sections 1, 4, 5, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, and 31 thereof, and by adding to said Act four new sections to be known as sections 9½, 29½, 33 and 34.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That sections 1, 4, 5, 8, 9, 10, 11, 12, 13,
3 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, and 31 of an Act en-
4 titled, "An Act to provide for the creation, setting apart, formation, admin-
5 istration and disbursement of a Park Employes' Annuity and Benefit Fund,"
6 approved June 21, 1919, in force July 1, 1919, as amended, be and the same are
7 hereby amended to read as follows, and that four new sections to be known as
8 sections 9½, 29½, 33 and 34 and to read as follows, be and the same are here-
9 by added to said Act.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 represented in the General Assembly: That whenever any persons who have
3 been or may be appointed or otherwise selected as commissioners or officers
4 and constitute a board of park commissioners for any one or more towns
5 whether said towns have heretofore existed or now exist, under and in pur-
6 suance of an Act or Acts of the General Assembly of this State, for the purpose
7 of locating, establishing, and enclosing, improving or maintaining any public
8 park, boulevard, driveway, or highway or other public work or improvement,
9 and such board of park commissioners *employs* any persons who are or shall
10 be appointed to their positions under and by virtue of an Act entitled, "An
11 Act relating to the civil service in park systems," approved June 10, 1911, in
12 force July 1, 1911, as subsequently amended, an annuity and benefit fund shall
13 be created, maintained, administered and disbursed in the manner described in
14 this Act for such employes and the widows and children of such employes and
15 for other employes of any such board of park commissioners and the widows
16 and children of such other employes: *Provided, however,* that this Act shall
17 not apply to any person employed in any position exempt from the provisions
18 of the said Act relating to civil service unless such person shall make applica-
19 tion to be included among those to whom this Act shall apply within ninety
20 days from the date when this Act comes in force and effect, *nor to any person*
21 who shall hereafter be employed in any such position unless such person shall
22 make application to be included among those to whom this Act shall apply
23 within ninety days from the date of the beginning of such employe's employ-
24 ment. This Act shall not, in any event, apply to any policeman employed by
25 any such board of park commissioners nor to temporary employes, nor to
26 any person employed in any position, the duties whereof will not permit of
27 service in excess of seven hundred and fifty hours during any calendar year.

Sec. 4. The following words and phrases as used in this Act, unless a
2 different meaning is plainly expressed in the context, shall have the following
3 meanings:

4 “Reserve” when applied to an annuity, shall mean the present value, ac-
5 cording to the American Experience Table of Mortality and four per cent in-
6 terest, of the payments to be made on account of such annuity.

7 “Highest Salary” shall mean the highest salary received by an employe
8 during any service year of such employe.

9 “Service” shall mean employment by an employer as defined in this Act
10 in a position covered by this Act.

11 “Prior Service” shall mean service rendered by an employe before such
12 employe comes under the provisions of this Act.

13 “Withdrawal from Service” shall mean *resignation or discharge* from
14 service as an employe of any employer as defined herein.

15 “Future Entrant” shall mean an employe who enters service after July
16 1, 1919.

17 “Present Employe” shall mean an employe who is in service on July 1,
18 1919.

19 “Regular Interest” shall mean interest at the rate of four per cent per
20 annum.

21 “Present Value” of an amount on a specified date as of some prior date,
22 shall mean the sum which, when improved at interest at a specified rate for
23 a period of time equal to the period between the dates in question, will amount
24 to the sum stated on such specified date.

25 “Employe” shall mean any person in service in a position covered by this
26 Act, *who entered such service before his attainment of the age of sixty years.*

27 “Employer” shall mean and board of park commissioners as defined in
28 Section 1 of this Act.

29 “Leave of Absence” shall mean *absence from service for a temporary*
30 *period on permission given by the employer upon written request of the em-*
31 *ploye concerned.*

32 “Salary” shall mean:

33 (a) *The annaual salary of any employe whose salary or wages is ar-*
34 *anged on a yearly basis, except that no part of such salary in excess of three*
35 *thousand dollars a year shall be taken into consideration in determining the*
36 *amounts to be deducted from salary for purposes of this Act or in determin-*
37 *ing the amount of annuities to be paid or other benefits to be provided under*
38 *the provisions of this Act.*

39 (b) *Twelve times the amount of the salary per month of an employe*
40 *whose salary or wages is arranged on a monthly basis, except that no part of*
41 *such salary in excess of two hundred and fifty dollars a month shall be taken*
42 *into consideration in determining the amounts to be deducted from salary for*
43 *purposes of this Act or in determining the amounts of annuities to be paid or*
44 *other benefits to be provided under the provisions of this Act.*

45 (c) *Fifty-Two times the amount of the salary per week of an employe*
46 *whose salary or wages is arranged on a weekly basis, except that no part of*
47 *such salary in excess of fifty-seven dollars a week shall be taken into consider-*
48 *ation in determining the amounts to be deducted from salary for purposes of*
49 *this Act or in determining the amounts of annuities to be paid or other benefits*
50 *to be provided under the provisions of this Act.*

51 (d) *Three thousand times the amount of the salary per day of an em-*
52 *ploye whose salary or wages is arranged on a daily basis, except that no part*
53 *of such salary in excess of ten dollars a day shall be taken into consideration*
54 *in determining the amounts to be deducted from salary for purposes of this*
55 *Act, or in determining the amounts of annuities to be paid or other benefits to*
56 *be provided under the provisions of this Act.*

57 (e) *Two thousand four hundred times the amount of the salary per hour*
58 *of an employe whose salary or wages is arranged on an hourly basis, except*
59 *that no part of such salary in excess of one and one quarter dollars per hour*
60 *shall be taken into consideration in determining the amounts to be deducted*
61 *from salary for purposes of this Act, or in determining the amounts of annui-*
62 *ties to be paid or other benefits to be provided under the provisions of this Act.*

63 *“Age” shall mean age at latest birthday.*

Sec. 5. The Retirement Board shall elect from its membership, a president, and a secretary, and shall appoint such actuarial, legal, medical, clerical, and other employes as may be necessary.

The compensation of all persons employed by said Retirement Board shall be fixed by said board.

The Retirement Board shall keep a record of all its proceedings which shall be open to inspection by the public.

The Retirement Board shall certify to each employer the amount to be deducted from the salary of each employe for purposes of this Act for each pay-roll period from and after July 1, 1919.

The Retirement Board shall pay all moneys received to the custodian of the *Annuity and Benefit Fund hereby created* for use according to the provisions of this Act.

The Retirement Board shall keep such books and records as are necessary for the transaction of its business. It shall see that all deductions from salary and that contributions to be made by each employer under the provisions of this Act are being duly made, and that all funds thus collected are being deposited when collected with the custodian of the fund. It shall see that all the other duties of each employer are being performed, and in the event that an employer fails to perform any duties imposed on said employer under the provisions of this Act, it shall be the duty of the Retirement Board to take steps as in its judgment seems advisable to enforce compliance on the part of such employer with the provisions of this Act.

The Retirement Board shall prepare a report, as of June 30, of each year, setting forth the income and disbursements of the year of each of the funds controlled by said Retirement Board and the amount of assets credited to and the amounts of liabilities of, each such fund on such date. Such statement shall include:

(a) The total of the reserves on all annuities being paid by the Board from the Annuity Reserve Fund and on all annuities to be paid from such

31 fund to employes and widows of employes, whose annuities are determined but
32 not entered upon, calculating such reserves as if the annuities were actually
33 entered upon.

34 (b) The total of the liabilities of the employers because of supplementary
35 annuities provided by such employers for present employes, including the pres-
36 ent values of the supplementary annuities entered upon.

37 The members of the Retirement Board as constituted shall be the trustee
38 of the *Annuity and Benefit Fund* created under this Act for the purpose of
39 providing the benefits stipulated herein and for paying the cost of administra-
40 tion of this Act. Said Retirement Board shall have exclusive control and
41 management of all *money of said fund* and full power to invest the same; sub-
42 ject, however, to all the terms, conditions, limitations, and restrictions impos-
43 ed by this Act upon the making of investments. Subject to such terms, condi-
44 tions, limitations and restrictions, said Retirement Board shall have power
45 to hold, purchase, sell, assign, transfer or dispose of any of the securities and
46 investments in which any of the moneys of the *Annuity and Benefit Fund* cre-
47 ated by this Act of which the members of such Board are the trustees shall
48 have been invested as well as of the proceeds of said investments.

49 It shall be the duty of said Retirement Board to determine the length of
50 service of each present employe rendered prior to the date when such employe
51 comes under the provisions of this Act, including all service rendered to any
52 employer as defined by this Act. Under such rules and regulations as the Re-
53 tirement Board shall adopt, each employe shall file with said Retirement
54 Board a detailed statement of all such service rendered by him or allowed to
55 him. As soon as practicable thereafter, the Retirement Board shall certify
56 such statement as to prior service, and shall issue a certificate to such employe,
57 stating the length of prior service allowed and the amount to the credit of
58 such employe for old age retirement annuity and widow's annuity purposes
59 for the benefit of such employe. Such certificate shall be final and conclusive
60 as to length of prior service and amount of credit unless modified by the Retire-

61 ment Board, either of its own volition or upon application of the employe,
62 within one year from the date when the certificate or a modified certificate was
63 issued to the employe.

64 All time during which any present employe was absent on leave of absence
65 without pay shall be excluded in computing the prior service of an employe,
66 and all time during which any employe was absent on leave of absence on full
67 or part pay shall be included in computing the prior service of such employe.

68 If any employe does not file a statement showing the amount of prior serv-
69 ice rendered, or if the Retirement Board is unable to verify the averments con-
70 tained in the statement filed by such employe, said Retirement Board shall
71 fix the period for which such employe shall receive credit for prior service
72 from such information as is available, and such decision of said Retirement
73 Board shall be final unless modified by said Retirement Board within one
74 year from the date of such decision.

Sec. 8. Except as herein provided, no member of the Retirement Board, nor
2 any one connected with the Retirement Board, shall have any interest, direct or
3 indirect, in the gains or profits of any investment made by such Board, nor as
4 such, directly or indirectly, receive any pay or emoluments for his services except
5 as herein provided. Nor shall any such person as an agent or partner of others
6 borrow any funds or deposits, or in any manner use the same, except to make
7 such current and necessary payments as are authorized by the Board, nor shall
8 any member of said Board, or anyone connected with said Board, become an
9 endorser or surety or become in any manner, an obligor for moneys loaned by or
10 borrowed of any such Board.

11 All payments from the *Annuity and Benefit Fund hereby created* shall be
12 made by the custodian of the fund only, and only upon warrant or voucher
13 signed by the president of the Retirement Board and countersigned by the secre-
14 tary of said board, and no warrant or voucher shall be drawn except by order
15 of said board duly entered in the record of its proceedings.

16 The said Retirement Board may keep as an available fund for the purpose
 17 of making disbursements in excess of receipts for annuities and other payments to
 18 employes, such an amount *as shall be estimated by the said Retirement Board*
 19 *as being necessary to meet the current obligations of said Board for a period not*
 20 *to exceed ninety days.* Such funds hereby authorized to be kept, shall be kept
 21 on deposit in any bank in this State organized under the laws thereof or under
 22 the laws of the United States, or with any trust company incorporated under any
 23 law of this State; *provided* said bank or trust company shall furnish adequate
 24 security for said funds; *and provided further*, that the sum so deposited in any
 25 one bank or trust company shall not exceed twenty-five per cent of the paid up
 26 capital and surplus of said bank or trust company.

Sec. 9. The moneys under the control of the Retirement Board created
 2 under the provisions of this Act shall be invested in bonds of the United States, or
 3 of this State, or in bonds of any county, *township, city, village,* incorporated
 4 town, *municipality, school district or other district in this State,* or in Federal
 5 Farm Loan Bonds or Joint Stock Land Bank Bonds issued under the Federal
 6 Farm Loan Act. All bonds purchased by the said Retirement Board shall be
 7 registered in the name of the said Board, and no bonds shall be purchased or sold
 8 or in any manner hypothecated except by the action of said Board duly entered
 9 in the record of its proceedings.

10 The Retirement Board of the Annuity and Benefit Fund herein provided for
 11 shall require the custodian of such fund to furnish a bond of such amount as the
 12 said Board may designate, which bond shall indemnify the said Board against
 13 any loss which may result from any action or failure to act on the part of such
 14 custodian, or any of his agents. All fees and charges incidental to the procuring
 15 and giving of such bond shall be paid by the said Retirement Board.

Sec. 9½. Annuity to be known as Old Age Retirement Annuity shall be
 2 provided for future entrants and for present employes.

3 Annuity to be known as Supplementary Annuity shall be provided for
4 present employees.

5 Annuity to be known as Widow's Annuity shall be provided for widows of
6 future entrants and for widows of present employees.

7 Annuity to be known as Widow's Supplementary Annuity shall be pro-
8 vided for widows of present employees.

9 Except in the case of a temporary annuity as hereinafter stated, any such
10 annuity shall consist of equal monthly payments for life. The first payment
11 shall be due and payable one month after the occurrence of the event upon which
12 payment of such annuity shall depend.

13 Any Old Age Retirement Annuity or Widow's Annuity shall be payable
14 from the Annuity Reserve Fund hereinafter described and any Supplementary
15 Annuity or Widow's Supplementary Annuity shall be payable from the Supple-
16 mentary Fund hereinafter described.

 Sec. 10. The Retirement Board shall establish and administer nine funds,
2 to be known, respectively, as:

3 (1) Expense Fund; (2) Employers' Annuity Fund; (3) Children's Annuity
4 Fund; (4) Compensation Fund; (5) Salary Deductions for Annuity Fund; (6)
5 Annuity Reserve Fund; (7) Sickness and Accident Fund; (8) Investment and
6 Interest Fund; (9) Employers' Supplementary Fund.

7 *Not later than* the month of July, 1920, for a period covering the year next
8 preceding, and *not later than July* of each year thereafter, for a period covering
9 the year then last preceding, each employer shall pay into these funds such
10 amounts as the Retirement Board shall have certified are required to be con-
11 tributed by such employer under the provisions of this Act.

12 Expense Fund: Such amounts as shall be paid to the Retirement Board to
13 defray the administrative expenses thereof shall be paid into a fund to be known
14 as the Expense Fund. All administrative expenses of said Retirement Board
15 shall be paid from this fund.

16 During the first fiscal year, each employer concerned shall pay to said Re-
 17 tirement Board an amount equal to one-fifth of one per cent of the aggregate
 18 salaries of the employes, *from whose salaries deductions are being made for old*
 19 *age retirement annuity purposes*, of such employer involved for such fiscal year.
 20 Thereafter, each employer shall pay to said Retirement Board such sums as said
 21 Retirement Board shall certify to as necessary to defray the administrative ex-
 22 pense of said Board, but in no case, *except as provided in the next succeeding*
 23 *paragraph*, shall such sums exceed amounts equal to *one-fourth* of one per cent
 24 of the salaries of the employes, *from whose salaries deductions are being made for*
 25 *old age retirement annuity purposes*, of the employer involved for the preceding
 26 fiscal year.

27 *For the fiscal year beginning July 1, 1921, and ending June 30, 1922, each*
 28 *employer shall pay to said Retirement Board such sums as said Retirement*
 29 *Board shall certify to as necessary to defray the expense incident to the installa-*
 30 *tion of the Annuity and Benefit Fund hereby created, during, or prior to, said*
 31 *year, but in no case shall such sums exceed amounts equal to one-fourth of one per*
 32 *cent of the salaries of the employes of any employer from whose salaries deduc-*
 33 *tions were made for old age retirement annuity purposes during the preceding*
 34 *fiscal year. Payments as stated in this paragraph shall be additional to pay-*
 35 *ments otherwise required by the employer for expense of administration, as*
 36 *stated hereinbefore in this section.*

37 *If it is not possible or practicable for an employer to contribute such sums*
 38 *as are required for expense of administration for any fiscal year, before the end*
 39 *of such year, the amount to be contributed or any unpaid balance of such amount,*
 40 *shall be held as an obligation of such employer payable with regular interest from*
 41 *the end of such fiscal year to the dates when payments by such employer are*
 42 *made.*

43 During the first fiscal year, each employe from whose salary deductions are
 44 being made for old age retirement annuity purposes shall pay to said Retirement
 45 Board an amount equal to one-fifth of one per cent of the aggregate salaries of

all such employes involved for such fiscal year. Thereafter, each such employe shall pay to said Retirement Board during any fiscal year, a percentage of each payment on account of salary of such employe, which percentage shall be the same for all such employes of all employers, to be determined by the Retirement Board from estimates based on the cost of administration for the preceding fiscal year or years, of the Annuity and Benefit Fund herein provided for sufficient to defray any excess in cost of administration of said fund during the fiscal year in question after the maximum amounts contributed and to be contributed by the employers for such purpose as hereinbefore stated in this section are taken into account.

If at any time there is not a sum in the Expense Fund sufficient to defray the current expenses of said Retirement Board, an amount equal to the sum necessary for such expenses may be transferred from any other fund under the control of said board. When thereafter any sum in excess of that required for current expenses is received into the Expense Fund, it shall be transferred from such fund and placed in the fund or funds from which such sums were taken until the total amount so taken with regular interest thereon is returned to such fund or funds.

If, at the end of any fiscal year, a sum is owing to any other fund from the Expense Fund, an amount equal to the amount so owing shall be charged against the employes from whose salaries deductions are being made for old age retirement annuity purposes, and each such employe shall pay during the fiscal year then entered upon a percentage of each payment on account of salary of such employe, which percentage shall be the same for all such employes of all employers, to be determined by the Retirement Board, sufficient to produce an amount equal to the sum so owing with regular interest thereon during the period when any such sum is owing to any such fund.

Employers' Annuity Fund: Such amounts as are required under the provisions of this Act to be paid by any employer towards the old age retirement annuities of future entrants, or towards the annuities of widows of future

entrants, or towards the old age retirement annuities of present employes, or towards the annuities of widows of present employes, exclusive of amounts paid to provide supplementary annuities for present employes, or for widows of present employes, shall be paid into a fund to be known as the Employers' Annuity Fund.

In this fund an individual account shall be kept for each employe *while such employe is in service, for the period specified in (a) or (b) in the next succeeding paragraphs, whichever shall apply.* As contributions are received from the employer, the account of each such employe shall be credited with the amount which the employer has contributed towards the Old Age Retirement Annuity of such employe. At least once each year *and always before a transfer is made to any other fund*, each such account shall be credited with interest accumulations *at the rate of four per cent per annum.*

(a) *In the case of a future entrant, the period shall be from the date when the employe enters the service until the date when he attains the age of sixty five years if he shall have completed at least fifteen years of service upon attainment of such age, or until he has completed fifteen years of service if he shall complete fifteen years of service after attainment of the age of sixty-five years and before attainment of the age of seventy years, or until attainment of the age of seventy years if he attains such age before completion of fifteen years of service.*

(b) *In the case of a present employe, the period shall be from July 1, 1919, until the date when there shall be to the credit of such employe for old age retirement annuity purposes from contributions of the employer and deductions from the salary of such employe for such purposes, with interest accumulations at the rate of four per cent per annum, an amount sufficient to provide such employe with an annuity at his attained age equal to that which would have been provided for him if contributions by the employer and deductions from such employe's salary for such purposes had been made and improved at interest according to the provisions of this Act since the beginning of his service, and his salary during the period of prior service was as it shall have been on July 1, 1919.*

106 *At the end of any such period as stated under (a) or (b) immediately preced-*
107 *ing, whichever shall apply, the accumulation to the credit of such employe for old*
108 *age retirement annuity purposes shall be transferred to the Annuity Reserve*
109 *Fund.*

110 *If any employe withdraws from service after attainment of the age of sixty-*
111 *five years and before the termination of the period of service stated in (a) or (b)*
112 *hereinbefore specified in this section, whichever shall apply, the total amount*
113 *credited to the account of such employe for old age retirement annuity purposes*
114 *shall thereupon be transferred from this fund to the Annuity Reserve Fund.*

115 *If any employe withdraws from service after attainment of the age of fifty-*
116 *five years and before attainment of the age of sixty-five years, having completed*
117 *at least ten years of service, the total amount credited to the account of such em-*
118 *ploye for old age retirement annuity purposes, with interest accumulations, shall*
119 *remain in the fund until such employe enters upon annuity or attains the age of*
120 *sixty-five years, whichever event shall first occur, and the amount of such accumu-*
121 *lation available under the provisions of this Act for Old Age Retirement Annuity*
122 *of such employe shall then be transferred from this fund to the Annuity Reserve*
123 *Fund.*

124 *If any employe withdraws from service before his attainment of the age of*
125 *fifty-five years, having completed at least ten years of service, and does not re-*
126 *ceive refunds of deductions from his salary for old age retirement annuity pur-*
127 *poses as stated in Section 29 hereof, before he attains the age of fifty-five years,*
128 *the total amount thus credited to the account of such employe for old age retire-*
129 *ment annuity purposes with interest accumulations shall remain in this fund until*
130 *such employe enters upon annuity or attains the age of sixty-five years, whichever*
131 *event shall first occur, and the amount of such accumulation available under the*
132 *provisions of this Act for Old Age Retirement Annuity for such employe shall*
133 *then be transferred from this fund to the Annuity Reserve Fund.*

134 *When a male employe attains the age of sixty-five years while in service if he*
135 *shall have completed at least fifteen years of service upon attainment of such age,*

136 or when a male employe has completed fifteen years of service, if he shall com-
 137 plete fifteen years of service after attainment of the age of sixty-five years and
 138 before attainment of the age of seventy years, or when a male employe attains the
 139 age of seventy years, if he attains such age before completion of fifteen years of
 140 service, if he has a wife, the total amount credited to such employe for widow's
 141 annuity purposes shall be transferred from this fund to the Annuity Reserve
 142 Fund.

143 When a male employe withdraws from service after attainment of the age
 144 of sixty-five years and before the termination of the period of service stated in the
 145 preceding paragraph, if he has a wife, the total amount credited to the account
 146 of such employe for widow's annuity purposes shall be transferred from this fund
 147 to the Annuity Reserve Fund. ◀

148 When a male employe withdraws from service after attainment of the age of
 149 fifty-five years and before attainment of the age of sixty-five years, having com-
 150 pleted at least ten years of service, if he has a wife, the accumulation to the credit
 151 of such employe for widow's annuity purposes with interest accumulations, shall
 152 remain in this fund until such employe enters upon annuity or attains the age of
 153 sixty-five years, or dies, whichever event shall first occur, and the amount of such
 154 accumulation available under the provisions of this Act for widow's annuity
 155 purposes, shall then be transferred from this fund to the Annuity Reserve Fund.

156 When a male employe withdraws from service before his attainment of the
 157 age of fifty-five years, having completed at least ten years of service, and does
 158 not receive refunds of deductions from his salary for widow's annuity purposes
 159 as stated in Section 29 hereof, the total amount thus credited to the account of
 160 such employe for widow's annuity purposes, with interest accumulations, shall
 161 remain in this fund until such employe enters upon annuity or attains the age of
 162 sixty-five years, or dies, whichever event shall first occur, and the amount of such
 163 accumulation available under the provisions of this Act for Widow's Annuity for
 164 the wife of such employe, if he has a wife, shall then be transferred from this
 165 fund to the Annuity Reserve Fund.

166 When a male employe dies while in service before *the amount to his credit for*
167 *widow's annuity purposes is transferred from this fund to the Annuity Reserve*
168 *Fund*, leaving a widow, the accumulation *to the credit of such employe for old age*
169 *retirement annuity purposes and widow's annuity purposes* or that part of the
170 accumulation on the date of the death of *such employe* necessary to provide the
171 annuities stated herein for such widow shall be transferred from this fund to the
172 Annuity Reserve Fund.

173 When a male present employe dies while in service after *the amount to his*
174 *credit for widow's annuity purposes is transferred from this fund to the Annuity*
175 *Reserve Fund and before the amount to his credit for old age retirement annu-*
176 *ity purposes is transferred from this fund to the Annuity Reserve Fund*, leaving
177 a widow, the accumulation *to the credit of such employe for old age retirement*
178 *annuity purposes on the date of the death of such employe shall be transferred*
179 *from this fund to the Annuity Reserve Fund*.

180 Children's Annuity Fund: Into a fund to be known as the Children's Annu-
181 ity Fund shall be paid all amounts received from the *employers* to provide for
182 children's annuities as provided for in this Act.

183 During the first fiscal year, each employer concerned shall pay to *the Retire-*
184 *ment Board* for children's annuities an amount equal to one-half of one per cent
185 of the aggregate salaries for such fiscal year of the employes, *from whose*
186 *salaries deductions were made for old age retirement annuity purposes* of such
187 employer. Thereafter, such employer shall pay to said Retirement Board such
188 proportionate part of the total amount certified to by said Retirement Board as
189 being necessary for children's annuities as the aggregate salaries of all *such em-*
190 *ployes* of such employer in the Annuity and Benefit Fund created under this Act
191 bears to the aggregate salaries of all such employes of all employers involved in
192 this Fund.

193 If at the time there is not in th Children's Annuity Fund of the Retirement
194 Board, a sum sufficient to pay annuities to children according to the provisions of
195 this Act, a sum equal to the amount required for such purpose may be trans-

196 ferred to such fund from any other fund under the control of said Board and
 197 used for the payment of such annuities. When thereafter any sum in excess of
 198 that required for current payment of annuities from the Children's Annuity Fund
 199 is received into such fund, it shall be transferred from such fund and placed in
 200 the fund or funds from which such sums were taken until a sum equal to the full
 201 amount so taken with regular interest thereon shall be returned to the fund or
 202 funds from which such transfer or transfers were made.

203 All children's annuities shall be paid from this fund.

204 Compensation Fund: Such amounts as shall be paid by the employers to
 205 provide the benefits provided for herein, in case of death or injury of an *employee*
 206 *incurred while in or as a consequence of the performance of one or more specific*
 207 *acts of duty*, shall be paid into a fund to be known as the Compensation Fund.
 208 There shall be paid from this fund:

209 (a) Amounts equal to the combined percentages of salary of the disabled
 210 employee, required from employer and employee for old age retirement annuity
 211 purposes for such employee during the period of such disability. Such amounts
 212 shall be paid into the Employers' Annuity Fund and the Salary Deductions for
 213 Annuity Fund, respectively, in proper proportions and credited to such employee
 214 in such funds.

215 (b) Such amounts as are necessary to provide the annuity or annuities
 216 stated in this Act in the case of death or injury of an employee *incurred in the per-*
 217 *formance of one or more specific acts of duty*, except Children's Annuities, in
 218 excess of any annuity which may be provided *from the Annuity Reserve Fund or*
 219 *Supplementary Fund for such employee or the widow of such employee, or both.*

220 During the first fiscal year, each employer concerned shall pay to the Retire-
 221 ment Board to provide the annuities *and other benefits provided for herein in*
 222 *case of death or injury of an employee incurred in the performance of one or more*
 223 *specific acts of duty*, an amount equal to one-half of one per cent of the aggregate
 224 salaries for such year of the employees of such employer, *from whose salaries de-*
 225 *ductions are being made for old age retirement annuity purposes.* Thereafter,

226 such employer shall pay to the Retirement Board such proportionate part of the
227 total amount certified to by such Retirement Board as being necessary for annui-
228 ties in cases of death or injury of an employe *in consequence of the performance*
229 *of one or more specific acts of duty as such* aggregate salaries of all the em-
230 ployes of such employer in the Annuity and Benefit Fund created under this Act
231 bears to *such* aggregate salaries of all the employes of such employers involved
232 in such Fund.

233 If at any time there is not in the Compensation Fund of the Retirement
234 Board a sum sufficient to pay annuities to employes in *cases* of death of injury
235 *incurred in the performance of one or more specific acts of duty*, according to
236 the provisions of this Act, a sum equal to the amount required for such purpose
237 may be transferred to such fund from any other fund under the control of said
238 Board and used for the payment of such annuities. When thereafter, any sum in
239 excess of that required for current payment of annuities from the Compensation
240 Fund is received into such fund, it shall be transferred from such fund and
241 placed in the fund or funds from which such sums were taken until a sum equal
242 to the full amount so taken, with regular interest thereon, shall be returned to
243 the fund or funds from which such transfer or transfers were made.

244 Salary Deductions for Annuity Fund: The amounts deducted from salaries
245 of the employes for old age retirement annuity purposes *and widow's annuity*
246 *purposes* shall be paid into a fund to be known as the Salary Deductions for
247 Annuity Fund. *Also, all amount contributed by the employer in lieu of such*
248 *amounts as would have been deducted from salary if the employe were per-*
249 *forming active service in cases of injury incurred in the performance of duty*
250 *shall be paid into this fund.*

251 In this fund an individual account shall be kept with each employe *while*
252 *such employe is in service, from the date when the employ enters service, to the*
253 *date when all or part of the accumulation from contributions of the employer on*
254 *behalf of such employe is transferred from the Employers' Annuity Fund to the*
255 *Annuity Reserve Fund, as hereinbefore stated in this section.* As deductions are

256 made from the salary of *any such* employe, each such account shall be credited
 257 with the amount of each such deduction, and at least once each year, each such
 258 account shall be credited with the proper interest accumulations. *On the date*
 259 *when all or part of the accumulation from contributions of the employer on*
 260 *behalf of any such employe is transferred, as hereinbefore stated, from the Em-*
 261 *ployers' Annuity Fund to the Annuity Reserve Fund, all the accumulations from*
 262 *deductions from salary of an employe for old age retirement annuity purposes*
 263 *and widow's annuity purposes shall be transferred from this fund to the Annuity*
 264 *Reserve Fund. After any such transfer to the Annuity Reserve Fund has been*
 265 *made, any deductions from salary of a present employe for old age retirement*
 266 *annuity purposes and widow's annuity purposes shall be paid into the Annuity*
 267 *Reserve Fund.*

268 Annuity Reserve Fund: There shall be paid into a fund to be known as the
 269 Annuity Reserve Fund, such amounts as shall be transferred to it from the Em-
 270 ployers' Annuity Fund, the Salary Deductions for Annuity Fund, the Investment
 271 and Interest Fund or any other fund from which payment to this fund is re-
 272 quired.

273 From the Annuity Reserve Fund shall be paid all or such part of any annuity
 274 payable to any person as can be provided for such person according to the
 275 American Experience Table of Mortality and four per cent interest from the
 276 funds placed in such fund to the credit of any such person.

277 *When amounts to the credit of any employe in the Employers' Annuity*
 278 *Fund and the Salary Deductions for Annuity Fund are transferred to this fund,*
 279 *the amount of Old Age Retirement Annuity to which such employe shall have a*
 280 *right from and after the date of his withdrawal from service and the amount of*
 281 *Widow's Annuity to which the wife of such employe shall have a right from and*
 282 *after the date of the death of such employe, either or both as the case may apply,*
 283 *shall be determined. Any service rendered by any such employe from the date*
 284 *of such transfer shall not operate to increase the amount of Old Age Retirement*
 285 *Annuity to which such employe shall have a right nor to increase the amount of*

286 *Widow's Annuity to which the wife of such employe shall have a right, unless*
287 *such employe shall re-enter the service before he shall attain an age of sixty-five*
288 *years, in which case the amounts of annuities to which such employe and his wife*
289 *shall have a right shall again be determined and in the manner stated in Section*
290 *33 hereof.*

291 *Sickness and Accident Fund:* All sums paid by employers and employes to
292 provide for sickness and accident benefits as specified in this Act shall be paid into
293 a fund to be known as the Sickness and Accident Fund, and all benefits paid
294 because of *disability as the result of any cause other than injury incurred in the*
295 *performance of one or more specific acts of duty,* shall be paid from this fund.

296 If at any time there is not a sum sufficient in the Sickness and Accident
297 Fund to pay the sickness and accident benefits provided in this Act, a sum
298 equal to the amount required for such purpose may be transferred to such fund
299 from any other fund or funds under the control of said board and use for the
300 payment of such benefits. When thereafter, any sum in excess of that required
301 for current payment of benefits from the Sickness and Accident Fund is re-
302 ceived into the Sickness and Accident Fund, it shall be transferred from such
303 fund and placed in the fund or funds from which such sums were taken until
304 a sum equal to the full amount so taken with regular interest thereon shall be
305 returned to the fund or funds from which such transfer or transfers were made.

306 *Investment and Interest Fund:* All gains from investments and all interest
307 earnings shall be paid into a fund to be known as the Investment and Interest
308 Fund. All losses from investment shall be charged to this fund. From this fund
309 shall be transferred all amounts due in interest to the other funds.

310 *Such amounts as shall be necessary according to the American Experience*
311 *Table of Mortality and interest at the rate of four per cent per annum, to make*
312 *the assets of the Annuity Reserve Fund equal to the liabilities thereof (includ-*
313 *ing among such liabilities, and in addition to all other liabilities of such fund, the*
314 *present values of all old age retirement annuities and widows' annuities entered*
315 *upon or determined and not entered upon, to be paid from such fund, exclusive*

316 of supplementary annuities) shall be taken from this fund and transferred to
317 the Annuity Reserve Fund at laest once each year.

318 If at the end of any fiscal year the assets of the Investment and Interest
319 Fund shall not be sufficient to permit of a transfer of moneys from this fund
320 to any other fund of the Annuity and Benefit Fund hereby created, a sum suffi-
321 cient to make possible such transfer shall be taken from the Supplementary
322 Fund and placed in this fund, and any sum thus transferred shall not become a
323 liability of this fund.

324 Employers' Supplementary Fund: Each employer shall pay annually into
325 a fund to be known as the Employers' Supplementary Fund, the amounts re-
326 quired under the provisions of this Act, as stated in this section below, to pro-
327 vide supplementary annuities for present employes and their widows and to
328 make other required payments, as stated elsewhere herein. All amounts paid
329 into this fund shall be improved by regular interest from the dates when pay-
330 ments are made. If it is not possible or practicable for any such employer to make
331 the payments required for any fiscal year before the end of such fiscal year, then
332 the amount required or any unpaid part thereof, shall be a liability of the employer
333 to be paid with regular interest from the end of the fiscal year until the dates
334 when payment by the employer shall be made.

335 Payments shall be made until the assets credited to this fund shall become
336 equal to the liabilities of the fund, calculating annuities entered upon or deter-
337 mined and not entered upon, according to the American Experience Tables of
338 Mortality and four per cent interest.

339 When the assets credited to this fund are equal to the liabilities of the fund
340 as aforesaid, then payments to this fund shall be discontinued, but if for any
341 reason contributions to provide supplementary annuities or to make possible
342 the transfer of moneys to the Investment and Interest Fund as aforesaid be-
343 come necessary, each employer shall, as soon as possible or practicable there-
344 after, contribute such employer's share of the sum or sums sufficient to provide
345 such annuities or to permit of such transfer. Such share shall be determined

346 according to the plan stated in the next succeeding paragraph. The total
347 amount to be contributed by each employer for any fiscal year for such pur-
348 poses, however, shall not exceed the amount to be contributed for any fiscal year
349 as stated in the next succeeding paragraph.

350 The amount which the employers shall pay annully into this fund to pro-
351 vide the supplementary annuities for present employes and widows of present
352 employes, and to make other required payments, as specified in this Act, shall
353 be two hundred and forty thousand dollars. Of this amount, each employer
354 shall pay that proportionate part which the aggregate of the salaries for the
355 fiscal year preceding the year in question, of all employes of such employer,
356 from whose salaries deductions were made for old age retirement annuity
357 purposes, bears to the aggregate of the salaries during such fiscal year of all
358 such employes of all employers as defined in this Act.

Sec. 11. If an employe be a future entrant, the amounts to be contributed
2 by such employe and by the employer of such employe for Old Age Retirement
3 Annuity for such employe shall be as follows:

4 From each payment of salary of each such employe there shall be de-
5 ducted an amount equal to four per cent of the amount of such salary pay-
6 ment. Such deductions shall be made at the time such payments of salary are
7 payable and shall be continued while such future entrant shall be in the serv-
8 ice until he shall attain an age of sixty-five years, unless such future entrant
9 shall not then have completed fifteen years of service, in which case the said
10 deductions shall be continued until the end of the fifteenth year of his service,
11 except that no deductions shall be made for old age retirement annuity purposes
12 after such employe shall have attained the age of seventy years.

13 Concurrently with each such deduction from the salary of any future en-
14 trant, the employer of such future entrant shall contribute for each service
15 year of such employe in the ratio of two to one with such employe.

16 In determining the amounts to be paid by the employer on behalf of each
 17 such employe in conformity with this ratio, the contributions made by each
 18 employe during any fiscal year shall be accumulated by regular interest to the
 19 end of such year, and the employer shall contribute amounts bearing to the
 20 total of such accumulated amounts, the ratio stated, reckoning regular interest
 21 between the end of such fiscal year and the dates when payments by the em-
 22 ployer are made.

Sec. 12. *If an employe be a present employe*, the Retirement Board shall
 2 determine as of July 1, 1919, the amount which would have been to the credit
 3 of *such* employe for annuity of such employe, from contributions of the em-
 4 ployer under the provisions of this Act, if this Act had been in full force and
 5 effect as of the date of the commencement of the service of any such employe,
 6 except that in making such determination it shall be assumed that:

7 (1) The salary of the employe was the same during his entire period of
 8 prior service as upon the date when he comes under the provisions of this Act.

9 (2) The period of service of the employe is equal to the entire period of
 10 service which the employe gave to any of the employers as defined in this Act,
 11 up to July 1, 1919, including, in any case where the employe is over the age of
 12 *sixty-five* years, all service rendered after such employe attains the age of *six-*
 13 *ty-five* years.

14 An amount equal to the amount determined under the foregoing provis-
 15 ions of this section in the case of any present employe shall be treated for pur-
 16 poses of this Act as an accumulation to the credit of such employe on July 1,
 17 1919, from contributions of the employer, *to provide a Supplementary Annu-*
 18 *ity for such employe.*

Sec. 13. If *any* employe be a present employe, the amounts to be contri-
 2 buted by such employe and the employer of such employe for old age retire-
 3 ment annuity *purposes* for such employe, after July 1, 1919, and the period
 4 during which such contributions shall be made shall be as follows:

5 From each payment on account of salary of each present employe there
6 shall be deducted an amount equal to four per cent of the amount of such pay-
7 ment. These deductions begin on July 1, 1919, and shall continue until such
8 date as the amounts thus deducted will provide an accumulation *at regular in-*
9 *terest* equal to that which would be provided on such date, assuming regular
10 interest to such date, from deductions from salary of such employe if such em-
11 ploye had been *contributing in accordance with* the provisions of this Act from
12 the beginning of his service and the salary of such employe during his period of
13 prior service was the same as it shall be on July 1, 1919.

14 If any present employe be under the age of *sixty-five* years on July 1, 1919, or
15 *if any present employe be at or over the age of sixty-five years but under the*
16 *age of seventy years and has less than fifteen years of service to his credit on*
17 *said date*, then the employer of such employe shall contribute, *on behalf of*
18 *such employe, after said date*, amounts and for a period as follows:

19 The employer shall contribute an amount equal to eight per cent of the
20 amount of each payment made to such employe on account of salary. Such con-
21 tributions shall begin on July 1, 1919, and shall continue, *if the employe re-*
22 *mains in service*, until the date when *such employe shall have attained the age*
23 *of sixty-five years unless such present employe shall not then have completed*
24 *fifteen years of service, in which case the said deductions shall be continued*
25 *until the end of the fifteenth year of his service, but in no event shall an em-*
26 *ployer contribute on behalf of an employe after the employe shall have at-*
27 *tained the age of seventy years.*

Sec. 14. An employe *upon withdrawal* from service after at least ten
2 years of service and before attainment of the age of fifty-five years, will, if he
3 shall not have availed himself of the refund privilege described in this Act,
4 become entitled to an annuity beginning on the date when he attains the age
5 age of fifty-five years, or, at his option, at any later date.

6 An employe *upon withdrawal* from service after at least ten years of serv-
7 ice, upon or after attainment of the age of fifty-five years, and before attain-

8 ment of the age of sixty years, will become entitled to an annuity which he may
9 enter upon immediately or, at his option, at any later date.

10 The amount of such annuity for any such employe shall be that which can
11 be provided from the total of the accumulations, derived as stated in subdivis-
12 ions (a), (b) and (c) in this section hereinafter, at the attained age of the
13 employe on the date when he enters upon his annuity, except that if the age
14 of any such employe be in excess of sixty-five years when he enters upon annu-
15 ity, his age for annuity purposes shall be taken as age sixty-five, and also ex-
16 cept that the accumulation from sums contributed or to be contributed by any
17 employer to provide such annuity shall not in any case be used to an extent
18 which, when taken with the accumulation from deductions from salary of such
19 employe, for purposes before the annuity rights of such employe are determ-
20 ined, will provide an annuity in excess of an amount equal to seventy-five per
21 cent of the highest salary which such employe shall have received while in the
22 service and in not case in excess of Two Thousand Two Hundred and Fifty
23 Dollars a year:

24 (a) The accumulation from deductions from salary of such employe for
25 old age retirement annuity purposes on the date of his withdrawal from serv-
26 ice, improved by interest at the rate of three and one-half per cent per annum
27 if such employe shall withdraw from service before attainment of the age of
28 fifty-five years, or by regular interest if such employe shall withdraw from
29 service after attainment of the age of fifty-five years, from the date when such
30 employe shall withdraw from service to the date when he enters upon his an-
31 nuity or attains the age of sixty-five years, whichever event shall first occur.

32 (b) One-tenth of the accumulation, on the date of his withdrawal from
33 service, from contributions made by the employer on his behalf for old age
34 retirement annuity purposes, for each complete year of service rendered in
35 addition to ten complete years of service up to one hundred per cent of such
36 accumulation, improved by interest at the rate of three and one-half per cent per
37 annum if such employe shall withdraw from service before attainment of the

38 *age of fifty-five years, or by regular interest if such employe shall withdraw*
39 *from service after attainment of the age of fifty-five years, from the date*
40 *when such employe shall withdraw from service to the date when he enters*
41 *upon his annuity or attains the age of sixty-five years, whichever event shall*
42 *first occur.*

43 (c) *If the employe be a present employe, one-tenth of the accumulation*
44 *of an amount equal to the amount to the credit of such employe on July 1,*
45 *1919, to provide the Supplementary Annuity provided by the employer for*
46 *such employe, for each complete year of service rendered by such employe in*
47 *addition to ten complete years of service up to one hundred per cent of such*
48 *accumulation, improved by regular interest from July 1, 1919, to the date*
49 *when he withdraws from service and by interest at the rate of three and one-*
50 *half per cent per annum if such employe shall withdraw from service before at-*
51 *tainment of the age of fifty-five years, or by regular interest if such employe*
52 *shall withdraw from service after attainment of the age of fifty-five years,*
53 *from the date when such employe shall withdraw from service to the date when*
54 *he enters upon his annuity or attains the age of sixty-five years, whichever*
55 *event shall first occur.*

Sec. 15. *An employe, upon withdrawal from service upon or after attain-*
2 *ment of the age of sixty years and before attainment of the age of sixty-five*
3 *years, shall be entitled to enter upon an annuity immediately. The amount of*
4 *such annuity shall be that which can be provided, as of his attained age on the*
5 *date when he enters upon his annuity, from the total of the accumulations de-*
6 *rived as stated hereinafter in subdivisions (a), (b) and (c) of this section, ex-*
7 *cept that if the age of any such employe shall be in excess of sixty-five years when*
8 *he enters upon annuity, his age for annuity purposes shall be taken as sixty-five*
9 *years, and also except that the accumulation from sums contributed or to be*
10 *contributed by any employer to provide such annuity shall not in any case be*
11 *used to an extent which, when taken with the accumulation from deductions*

12 *from salary of such employe for such purpose before the annuity rights of such*
 13 *employe are determined, will provide an annuity in excess of an amount equal*
 14 *to seventy-five per cent of the highest salary which such employe shall have re-*
 15 *ceived while in the service and in no case in excess of Two Thousand Two*
 16 *Hunderd and Fifty Dollars a year.*

17 *The accumulations to provide such annuity shall be:*

18 (a) *The accumulation from deductions from salary of such employe for*
 19 *old age retirement annuity purposes on the date of his withdrawal from serv-*
 20 *ice improved by regular interest to the date when he enters upon his annuity*
 21 *or attains the age of sixty-five years whichever event shall first occur.*

22 (b) *The accumulation from the contributions made by the employer on*
 23 *his behalf for old age retirement annuity purposes, on the date of his with-*
 24 *drawal from service, improved by regular interest to the date when he enters*
 25 *upon his annuity or attains the age of sixty-five years, whichever event shall first*
 26 *occur.*

27 (c) *If the employe be a present employe, the accumulation of an amount*
 28 *equal to the amount to the credit of such employe on July 1, 1919, to provide*
 29 *the Supplementary Annuity provided by the employer, improved by regular*
 30 *interest from July 1, 1919, to the date when he enters upon annuity or attains*
 31 *the age of sixty-five years, whichever event shall first occur.*

Sec. 16. *A future entrant, upon withdrawal from service upon or after*
 2 *attainment of the age of sixty-five years shall be entitled to enter upon an an-*
 3 *nuity immediately. The amount of such annuity shall be that which can be*
 4 *provided, as of age sixty-five from the total of the accumulations derived as*
 5 *stated hereinafter in subdivisions (a) and (b) of this section, except that the*
 6 *accumulation from sums contributed or to be contributed by any employer to*
 7 *provide such annuity shall not in any case be used to an extent which, when*
 8 *taken with the accumulation from deductions from salary of such employe for*
 9 *such purpose before the annuity rights of such employe are determined, will*

10 *provide an annuity in excess of an amount equal to seventy-five per cent of the*
11 *highest salary which he shall have received while in the service and in no case*
12 *in excess of two thousand two hundred and fifty dollars a year.*

13 *The accumulations to provide such annuity shall be:*

14 (a) *The accumulation from deductions from salary of such employe for*
15 *old age retirement annuity purposes on the date when such employe shall have*
16 *attained the age of sixty-five years if such employe shall have completed at*
17 *least fifteen years of service upon attainment of such age, or the accumulation*
18 *for such purposes when such employe shall have completed fifteen years of ser-*
19 *vice if he shall complete fifteen years of service after attainment of the age of*
20 *sixty-five years and before attainment of the age of seventy years, or the ac-*
21 *cumulation for such purposes upon attainment of the age of seventy years if*
22 *such employe shall not have completed fifteen years of service upon attainment*
23 *of the age of seventy years, or the accumulation for such purposes upon with-*
24 *drawal from service if such employe shall withdraw from service between the*
25 *ages of sixty-five and seventy years, and before completion of fifteen years of*
26 *service.*

27 (b) *The accumulation from the contributions made by the employer on his*
28 *behalf for old age retirement annuity purposes upon attainment of the age or*
29 *upon the date which applies as specified in (a) above.*

30 A present employe, upon withdrawal from service upon or after attain-
31 ment of the age of *sixty-five* years, shall be entitled to enter upon an annuity
32 immediately. The amount of such annuity shall be that which can be provided,
33 at the attained age of the employe on the date when he enters upon an annu-
34 ity, from the total of the accumulations derived as stated in subdivisions (c),
35 (d) and (e) in this section hereinafter, except that, subject to the modifications
36 of Section 17, the amount of annuity which any present employe shall receive
37 shall not exceed that which *he would receive if deductions from his salary and*
38 *contributions by the employer for old age retirement annuity purposes for him*
39 *had been made and accumulated in accordance with the provisions of this Act*

40 from the beginning of his service, (his rate of salary for prior service being
 41 that which it shall be on July 1, 1919), and the amount of his annuity was de-
 42 termined in accordance with the provisions of this Act relating to amounts of
 43 old age retirement annuities which future entrants will receive.

44 The accumulations to provide such annuity shall be:

45 (c) The accumulation from deductions from salary of such employe for
 46 old age retirement annuity purposes on the date of his withdrawal from ser-
 47 vice, or on the date when the annuity rights of such employe are determined,
 48 whichever event shall first occur.

49 (d) The accumulation from contributions of the employer for old age re-
 50 tirement annuity purposes for such employe on the date of his withdrawal from
 51 service or on the date when the annuity rights of such employe are determined,
 52 whichever event shall first occur.

53 (e) The accumulation of an amount equal to the amount determined as
 54 the credit of such employe on July 1, 1919, for supplementary annuity purposes
 55 for such employe, improved by regular interest from July 1, 1919, to the date
 56 of his withdrawal from service or to the date when the annuity rights of such
 57 employe are determined, whichever event shall first occur.

Sec. 17. The amount of annuity for a present employe shall be that which
 2 can be provided from the contributions made by and on behalf of such employe
 3 according to the provisions of this Act; provided, however, that if any present
 4 employe shall attain the age of sixty years or over while in service and shall
 5 have been in service for at least twenty years on the date when he retires on an-
 6 nuity, the amount of *Supplementary Annuity* which such employe shall receive
 7 shall not be less than such an amount which, when taken with the *Old Age*
 8 *Retirement Annuity* to which such employe shall have a right, will yield an an-
 9 nuity of forty per cent of the average rate of compensation of such employe
 10 during the five years of service next preceding the date when such employe re-
 11 tires on annuity.

Sec. 18. If an employe, be a male and under the age of sixty-five years, or
2 if an employe, be a male employe and at or over the age of sixty-five years with
3 less than fifteen years of service to his credit, there shall be deducted from each
4 and every payment on account of salary of such employe, an amount equal to
5 one per cent of the amount of such payment on account of salary, to provide
6 for a widow's annuity, until such employe shall attain the age of sixty-five
7 years if he shall have at least fifteen years of service to his credit upon attain-
8 ment of such age, or until the end of his fifteenth year of service if he shall
9 not have at least fifteen years of service to his credit when he shall attain the
10 age of sixty-five years; provided, however, that no deductions shall be made
11 from the salary of any employe for widow's annuity purposes after such em-
12 ploye shall have attained the age of seventy years, and provided further that
13 no deductions shall be made from the salary of any employe for widow's an-
14 nuity purposes after such employe shall have attained the age of sixty-five
15 years, unless such employe shall have a wife to whom he was married prior to
16 his attainment of the age of sixty-five years or prior to July 1, 1919.

17 The employer shall contribute for a widow's annuity for any such employe,
18 after July 1, 1919, two per cent of the amount of each payment on account of
19 salary of such employe, until such employe shall attain an age of sixty-five years
20 if he shall have at least fifteen years of service to his credit upon attainment
21 of such age, or until the end of his fifteenth year of service if he shall not have
22 at least fifteen years of service to his credit when he attains the age of sixty-
23 five years; provided, however, that no contributions shall be made by the em-
24 ployer for widow's annuity purposes for the widow ow such employe after such
25 employe shall have attained the age of seventy years, and provided further that
26 no contributions shall be made by the employer to provide an annuity for a
27 widow of any such employe after such employe shall attain the age of sixty-
28 five years, unless such employe shall have a wife to whom he was married prior
29 to his attainment of the age of sixty-five years or prior to July 1, 1919.

30 In determining the amounts to be paid by the employer on behalf of each
 31 such employe in conformity with this ratio, the contributions made by each em-
 32 ploye during any fiscal year shall be accumulated at regular interest to the end
 33 of such year, and the employer shall contribute amounts bearing to the total of
 34 such accumulated amounts, the ratio stated, reckoning regular interest between
 35 the end of such fiscal year and the dates when payments by the employer are
 36 made.

37 If any such employe be a present employe, the Retirement Board shall de-
 38 termine as of July 1, 1919, the amount which would have been to the credit of
 39 such employe for widow's annuity purposes for such employe from deductions
 40 from salary and contributions from the employer for such purposes, if this Act
 41 had been in full force and effect as of the date of the commencement of the
 42 service of any such employe, except that in making such determination it shall
 43 be assumed that the salary of such employe was the same during his entire
 44 period of prior service as it shall be on July 1, 1919.

45 An amount equal to the amount determined as stated in the preceding
 46 paragraph shall be treated for purposes of this Act as an accumulation to the
 47 credit of such employe on July 1, 1919, from contributions of the employer to
 48 provide a Supplementary Widow's Annuity for the wife of such employe.

Sec. 19. *The widow of an employe who withdraws from service after at*
 2 *least ten years of service and before attainment of the age of fifty-five years,*
 3 *will, if such employe shall have not availed himself of the refund privilege de-*
 4 *scribed in this Act, be entitled to an annuity beginning upon death of her*
 5 *husband.*

6 *The widow of an employe who withdraws from service after at least ten*
 7 *years of service and upon or after attainment of the age of fifty-five years and*
 8 *before attainment of the age of sixty-five years will be entitled to an annuity be-*
 9 *ginning upon death of her husband.*

10 *The amount of any such annuity if the husband be alive on the date when*
 11 *the wife's annuity is determined, shall be that which can be provided from the*

12 total of the accumulations, derived as stated hereinafter in subdivisions (a),
13 (b) and (c) of this section, on the date when the annuity for such wife is deter-
14 mined, as of her attained age on such date, the same to begin upon death of her
15 husband; except that the accumulation from sums contributed or to be contrib-
16 uted by any employer shall not in any case be used to an extent which, when
17 taken with the accumulation from deductions from salary of such employe for
18 such purpose, will provide for such wife an annuity in excess of an amount equal
19 to fifty per cent of the highest salary which such employe shall have received
20 while in service and in no case in excess of One Thousand Five Hundred Dol-
21 lars a year.

22 (a) The accumulation from deductions from salary of such employe for
23 widow's annuity purposes on the date when such employe shall withdraw from
24 service, improved by interest at the rate of three and one-half per cent per
25 annum if such employe shall withdraw from service before attainment of the
26 age of fifty-five years or by regular interest if such employe shall withdraw
27 from service after attainment of the age of fifty-five years, from the date when
28 such employe shall withdraw from service to the date when the annuity rights
29 of such employe are determined.

30 (b) One-tenth of the accumulation from contributions of the employer to
31 the credit of such employe for widow's annuity purposes on the date when
32 such employe withdraws from service for each complete year of service ren-
33 dered by such employe in addition to ten complete years of service up to one
34 hundred per cent of such accumulation, improved by interest at the rate of
35 three and one-half per cent per annum if such employe shall withdraw from
36 service before attainment of the age of fifty-five years or by regular interest
37 if such employe shall withdraw from service after attainment of the age of
38 fifty-five years, from the date when such employe shall withdraw from service
39 to the date when the annuity rights for such wife are determined.

40 (c) If the employe be a present employe, one-tenth of the accumulation
41 of an amount equal to the amount determined as the credit of such employe on

42 July 1, 1919, for widow's supplementary annuity purposes for the wife of such
 43 employe as stated in Section 18, hereof, for each complete year of service ren-
 44 dered in addition to ten complete years of service up to one hundred per cent
 45 of such accumulation, improved by regular interest from July 1, 1919, to the
 46 date when he shall withdraw from service, and by interest at the rate of three
 47 and one-half per cent per annum if such employe shall withdraw from service
 48 before attainment of the age of fifty-five years or by regular interest if such
 49 employe shall withdraw from service after attainment of the age of fifty-five
 50 years, from the date when such employe shall withdraw from service to the date
 51 when the annuity rights of such employe are determined.

52 The amount of any such annuity, if the husband be not alive on the date
 53 when the wife's annuity is determined, shall be that which can be provided from
 54 the total of the accumulations derived as stated hereinafter in subdivisions (d),
 55 (e) and (f) of this section on the date of death of her husband as of her at-
 56 tained age on such date, except that the accumulations from sums contributed
 57 or to be contributed by any employer shall not in any case be used to an extent
 58 which, when taken with the accumulation from deductions from salary of such
 59 employe for such purposes, will provide for such widow an annuity in excess of
 60 an amount equal to fifty per cent of the highest salary which such employe shall
 61 have received while in service, and in no case greater than that which she would
 62 receive if her husband had lived to age fifty-five and had then retired on an-
 63 nuity, if he shall withdraw from service before attainment of the age of fifty-
 64 five years, or greater than that which she would receive if her husband had
 65 retired on annuity when he withdrew from service, if he shall withdraw from
 66 service after his attainment of the age of fifty-five years:

67 (d) The accumulation from deductions from salary of such employe for
 68 age and service annuity and widow's annuity purposes on the date when such
 69 employe shall withdraw from service, improved by interest at the rate of three
 70 and one-half per cent per annum if such employe shall withdraw from service
 71 before attainment of the age of fifty-five years or by regular interest if such

72 employe shall withdraw from service after attainment of the age of fifty-five
73 years, from the date when such employe shall withdraw from service to the date
74 of death of such employe.

75 (e) One-tenth of the total of the accumulations from contributions of the
76 employer to the credit of such employe for age and service annuity and widow's
77 annuity purposes on the date when such employe withdraws from service, for
78 each complete year of service rendered by such employe in addition to ten com-
79 plete years up to one hundred per cent of such accumulation, improved by in-
80 terest at the rate of three and one-half per cent per annum if such employe
81 shall withdraw from service before attainment of the age of fifty-five years or
82 by regular interest if such employe shall withdraw from service after attainment
83 of the age of fifty-five years, from the date when such employe shall withdraw
84 from service to the date of death of such employe.

85 (f) If the employe be a present employe, one-tenth of the accumulation
86 of an amount equal to the amount determined as the credit of such employe on
87 July 1, 1919, for supplementary annuity and widow's supplementary annuity
88 purposes for such employe for each complete year of service rendered by such
89 employe in addition to ten complete years, improved by regular interest from
90 July 1, 1919, to the date when such employe shall withdraw from service, and
91 by interest at the rate of three and one-half per cent per annum if such employe
92 shall withdraw from service before attainment of the age of fifty-five years, or
93 by regular interest if such employe shall withdraw from service after attain-
94 ment of the age of fifty-five years, from the date when such employe shall with-
95 draw from service to the date of his death.

96 The widow of an employe who shall withdraw from service or shall die
97 while in service, upon or after attainment of the age of sixty years and after
98 the annuity rights of such wife or widow are determined shall be entitled to an
99 annuity beginning upon death of her husband.

100 The amount of any such annuity shall be that which can be provided from
101 the total of the accumulations derived as stated hereinafter in subdivisions (g),

102 (h) and (i) of this section on the date when such annuity rights are determined
103 as of her attained age on such date; except that the accumulation from sums
104 contributed or to be contributed by any employer shall not in any case be used
105 to an extent which, when taken with the accumulation from deductions from
106 salary of such employe for such purpose, will provide for such wife an annuity
107 in excess of an amount equal to fifty per cent of the highest salary which such
108 employe shall have received while in service and in no case in excess of One
109 Thousand Five Hundred Dollars a year.

110 (g) The accumulation from deductions from salary of such employe for
111 widow's annuity purposes on the date when the annuity rights of such wife are
112 determined.

113 (h) The accumulation from contributions of the employer to the credit of
114 such employe for widow's annuity purposes on the date when the annuity rights
115 of such wife are determined.

116 (i) If the employe be a present employe the accumulation of an amount
117 equal to the amount determined as the credit of such employe on July 1, 1919,
118 for widow's supplementary annuity purposes for the wife of such employe as
119 stated in section 18, hereof, improved by regular interest from July 1, 1919, to
120 the date when the annuity rights of such wife are determined.

121 The widow of an employe who dies while in service before the annuity
122 rights of such widow are determined will be entitled to an annuity beginning
123 upon death of her husband.

124 The amount of any such annuity shall be that which can be provided from
125 the total of the accumulations derived as stated hereinafter in subdivisions (j),
126 (k) and (l) of this section on the date of death of such employe as of her at-
127 tained age on such date; except that the accumulation from sums contributed
128 or to be contributed by any employer shall not in any case be used to an extent
129 which, when taken with the accumulation from deductions from salary of such
130 employe for such purpose, will provide for such widow an annuity in excess of
131 an amount equal to fifty per cent of the highest salary which such employe shall

132 have received while in service and in no case greater than that which she would
133 receive if her husband had lived and remained in service at the rate of pay re-
134 ceived by him at the time of his death, until the annuity rights of such womaan
135 were determined.

136 (j) The accumulation from deductions from salary of such employe for
137 old age retirement annuity and widow's annuity purposes on the date of death
138 of such employe.

139 (k) The accumulation from contributions of the employer to the credit of
140 such employe for old age retirement annuity and widow's annuity purposes on
141 the date of death of such employe.

142 (l) The accumulation of an amount equal to the amount determined as the
143 credit of such employe on July 1, 1919, for supplementary annuity and widow's
144 supplementary annuity purposes improved at regular interest from July 1, 1919,
145 to the date of death of such employe.

146 The amount of Widow's Annuity or of Widow's Supplementary Annuity
147 which shall be determined for the wife of any employe while such employe shall
148 be alive, shall be that which can be provided by dividing the sum to the credit
149 of such employe for such annuity purposes on the date when the amount of such
150 annuity shall be determined by the number representing the difference between
151 the following amounts: The amount required to provide an annuity of one
152 dollar a year for life for such wife beginning on the date when the annuity is
153 determined, and the amount required to provide an annuity of one dollar a
154 year for such wife beginning on such date and payable throughout the life of
155 her husband.

Sec. 20. Annuity shall be granted and paid to any child of the blood, un-
2 der eighteen years of age, of any employe whose death shall result from injury
3 incurred in the performance of one or more specific acts of duty; provided such
4 child shall have been born before such employe shall attain an age of sixty-five
5 years if such employe shall then have completed fifteen or more years of ser-

6 vice, or before the end of the fifteenth year of such employe's service if such
 7 employe shall not have completed fifteen years of service at the time he shall
 8 have attained an age of sixty-five years, except that no annuity shall be paid to
 9 any child of an employe who shall have been born after such employe shall at-
 10 tain an age of seventy years.

11 Annuity shall also be granted and paid to any child of the blood under
 12 eighteen years of age of any employe who shall die while in the service and
 13 who shall have completed at least four years of service; provided, that no an-
 14 nuity shall be granted or paid to any child of any employe who shall have re-
 15 signed or been discharged from the service before such employe shall have at-
 16 tained an age of fifty-five years and who shall have re-entered the service un-
 17 less such employe shall have served at least one year from and after the date
 18 of his latest re-entrance into the service; and provided further, that no an-
 19 nuity shall be granted or paid for the benefit of any child of any employe who
 20 shall have entered or re-entered the service after the attainment of an age of
 21 fifty years unless such child shall be the issue of a wife or husband who
 22 married such employe before such employe attained an age of fifty years; nor
 23 to any child of any employe born after such employe shall have attained an age
 24 of sixty-five years.

25 Annuity shall also be granted and paid for the benefit of any child of the
 26 blood less than eighteen years of age of any employe who shall die after such
 27 employe shall have resigned or been discharged from the service subsequent to
 28 his attainment of an age of fifty-five years who shall enter upon annuity or be
 29 eligible for annuity; provided, that only such child of such employe as shall
 30 have been born before such employe shall have attained an age of sixty-five
 31 years and prior to the date of such employe's latest resignation or discharge
 32 from the service shall be eligible for annuity; and provided further, that any
 33 such child of any such employe who shall have entered or re-entered the service
 34 after attainment of an age of fifty years shall be the issue of a wife or husband
 35 who married such employe before such employe attained an age of fifty years.

Sec. 21. A child's annuity, if a widow survives, shall be ten dollars (\$10.00) per month except that it shall be only five dollars (\$5.00) per month after such child has attained the age of fourteen years when such child is not attending school; if no widow survives, a child's annuity in all cases specified above, shall be five dollars (\$5.00) more per month than the amounts stated; *provided, however, if annuities for the widow and children of such employe whose death shall have been the result of injury incurred in the performance of one or more specific acts of duty, or for the children of such employe in any case where in a widow shall not exist, computed as hereinbefore stated, would exceed an amount equal to seventy-five per cent of the final salary of such employe, the annuity for each child of such employe shall be reduced pro rata so that the combined annuities for the family of such employe shall not exceed an amount equal to seventy-five per cent of such salary; and in the case of the family of any employe whose death shall have been the result of any cause or causes other than injury incurred in the performance of one or more specific acts of duty in which annuities for such family, computed as hereinbefore stated, would exceed an amount equal to fifty per cent of the final salary of such employe, the annuity of each child of such employe shall be reduced pro rata so that the combined annuities for such family shall not exceed an amount equal to fifty per cent of such salary; but, if in any such latter case the annuity provided as hereinbefore stated in this section for the widow of such employe shall exceed an amount equal to fifty per cent of such salary, such annuity for such widow shall not be reduced.*

Any annuity which shall be granted for the benefit of any child shall be paid to the parent of such child who shall be providing for such child, unless another person shall have been or shall be appointed by a court of law as the guardian of such child.

Sec. 22. *All employes whether present employes or future entrants shall be contributors to the Sickness and Accident Fund while under the age of sixty-five years, and all employes whether present employes or future entrants, while*

4 *in service and over the age of sixty-five years, who have not completed fifteen*
 5 *years of service upon attainment of age sixty-five shall be contributors to said*
 6 *fund until they have completed exactly fifteen years of service; except that no*
 7 *such employe shall be a contributor after he shall have attained the age of sev-*
 8 *enty years, and also except that:*

9 (1) *Employes absent on leave of absence, who are not receiving benefits*
 10 *from the Sickness and Accident Fund shall not be contributors during such*
 11 *period of leave of absence after a period of thirty days has elapsed from the*
 12 *date when such leave of absence was granted.*

13 (2) *Employes who are in receipt of benefits from the Sickness and Acci-*
 14 *dent Fund shall not be contributors to said fund while in receipt of benefits*
 15 *from said fund and all employes disabled as the direct result of injury incurred*
 16 *in the performance of one or more specific acts of duty shall not be contributors*
 17 *to said fund while receiving benefits because of such disability.*

18 (3) *Employes who were formerly contributors but ceased to become such*
 19 *as stated in Section 25, hereof, shall not be contributors until they have become*
 20 *reinstated in service as stated in said section.*

Sec. 23. *During the first fiscal year, each employer shall pay to the Retire-*
 2 *ment Board for the purposes of the Sickness and Accident Fund, an amount*
 3 *equal to one quarter of one per cent of the salaries of all employes of such em-*
 4 *ployer under the jurisdiction of said Retirement Board. During such fiscal*
 5 *year, each employe shall contribute one-quarter of one percent from each pay-*
 6 *ment made on account of salary of such employe during such year.*

7 *Thereafter, each employe contributor, as stated in Section 22, shall contrib-*
 8 *ute to the Sickness and Accident Fund as follows:*

9 *During any fiscal year, there shall be deducted from the first payment on*
 10 *account of salary of each employe contributor in the months of July, October,*
 11 *January and April of such year, a percentage of salary which percentage shall*
 12 *be the same for all employes, to be determined by the Retirement Board from*

13 estimates based on the experience of the fund for the preceding year or years,
14 sufficient to produce one-half the amount necessary to provide during such fiscal
15 year the benefits provided for in this Act for employes who shall become dis-
16 abled as the result of any cause other than injury incurred in the performance
17 of one or more specific acts of duty.

18 For each quarterly period, the employer of each such employe shall contrib-
19 ute a sum equal to the amount deducted from the salary of such employe, with
20 interest thereon at the rate of four per cent per annum from the end of the quar-
21 terly period in question to the date when such contribution shall be made.

22 If the amounts contributed and to be contributed for any fiscal year under
23 the foregoing provisions of this section exceed the amounts paid out in benefits
24 from this fund during such year, an amount equal to the amount of such excess
25 as it exists at the end of such fiscal year, shall be used to reduce, during the
26 succeeding fiscal year, the payments to be made by employer and employes to
27 said fund, in equal amounts as between employer and employes.

28 If the amounts paid out in benefits from this fund during any fiscal year
29 exceed the amounts contributed and to be contributed as aforesaid in this sec-
30 tion during such year, an amount equal to the amount of such excess shall be
31 added to the amount determined by the Retirement Board as being necessary
32 to provide such benefits during the succeeding fiscal year and such amount
33 shall be contributed by employer and employes in equal amounts as between
34 employer and employes.

Sec. 24. Any employe who shall be a contributor to the Sickness and
2 Accident Fund, as stated in Section 22 hereof, who shall become disabled as the
3 result of any cause other than injury incurred in the performance of one or
4 more specific acts of duty, shall have a right to receive benefits, as hereinafter
5 stated in this section from said fund during any period or periods of any such
6 disability, after the expiration of the first fifteen days of any such period for
7 which such employe shall not receive or have a right to receive any part of his
8 salary, which shall not extend beyond the time when the amount of Old Age

9 *Retirement Annuity to which such employe shall have a right shall be deter-*
 10 *mined, and which shall not exceed, in the aggregate, during the entire period of*
 11 *such employe's service, a period of time equal to one-fourth of the entire period*
 12 *of service rendered by such employe prior to the time he shall have become so*
 13 *disabled, nor five years in any case. In computing any such entire period of*
 14 *service, any period of time during which such employe shall have received bene-*
 15 *fits from the Sickness and Accident Fund under the provisions of this Act shall*
 16 *not be included for the purposes of this Act.*

17 *The amount of benefit payable from the Sickness and Accident Fund to*
 18 *any employe shall be fifty per cent of the salary of the employe as such salary*
 19 *shall be at the time such disability shall occur, for a period of time equal to any*
 20 *period of time for which any payment of such disability benefit shall become*
 21 *due and payable. Before any payment thereof shall be made to any employe,*
 22 *an amount equal to the sum or sums ordinarily deducted from the salary of such*
 23 *employe for all annuity purposes during a period of time equal to that for*
 24 *which such payment of benefit is to be made shall be deducted from such pay-*
 25 *ment and credited to such employe as a deduction from his salary for such*
 26 *period. The sums so deducted shall be paid into the Salary Deductions for An-*
 27 *nuity Fund and placed to the credit of the disabled employe therein.*

28 *The employer of such employe shall contribute all amounts ordinarily con-*
 29 *tributed by such employer for such disabled employe for old age retirement*
 30 *annuity purposes and widow's annuity purposes as though such employe were*
 31 *in active discharge of his duties during any such period of disability.*

Sec. 25. The provisions of this Act shall be modified in so far as they apply
 2 *to employes whose names shall not appear upon the pay roll of any employer*
 3 *during the month when deductions are made from salaries for purposes of the*
 4 *Sickness and Accident Fund as follows:*

5 *Any such employe who is not in receipt of benefits from the Sickness and*
 6 *Accident Fund, or has no application pending for benefits from such fund, or*

7 *who is not disabled as the direct result of any injury incurred in the perform-*
8 *ance of one or more specific acts of duty while in the service of such employer*
9 *may retain his rights to benefit from the Sickness and Accident Fund by paying*
10 *an amount equal to that which would have been deducted from his salary dur-*
11 *ing such month, if his name had appeared upon the pay roll during such*
12 *month, into the Sickness and Accident Fund herein provided for, on or before*
13 *the tenth of the succeeding month, without grace; and provided, that if the*
14 *tenth day of the succeeding month shall fall upon a Sunday or a legal holiday*
15 *such payment shall be made on or before the day preceding the tenth day of*
16 *such month.*

17 *If any such employe, as aforesaid, shall fail to pay the amount stated such*
18 *employe shall have no further right to benefits from the Sickness and Accident*
19 *Fund thereafter and such employe shall be exempt from further payment to*
20 *such fund, unless such employe shall apply for reinstatement and shall submit*
21 *to an examination or examinations by a physician or physicians designated by*
22 *the Retirement Board to make any such examination, and shall be found by*
23 *such physician or physicians to be in good physical condition. Any such em-*
24 *ploye shall be required to pay a fee, not in excess of three dollars for any one*
25 *such examination.*

Sec. 26. The Retirement Board shall require an employe who is in receipt
2 of any benefit because of disability, to undergo medical examination at least
3 once each year by a physician or physicians designated by the Retirement
4 Board. Should the Retirement Board decide as the result of such examination
5 that such employe is no longer disabled for the performance of duty, said Re-
6 tirement Board shall discontinue all benefits to such employe. The employer
7 shall, upon notification by the Retirement Board, reinstate such employe in
8 such position as was held by him at the time *when disability began* at the rate
9 of salary being paid for employes in such position at the time when the employe
10 returns to service.

11 Should such employe refuse to submit to any such examination, any bene-
 12 fits being paid such employe under the provisions of this Act because of dis-
 13 ability shall be discontinued immediately.

14 Upon application, approved by the Retirement Board, of any employe who
 15 is in receipt of benefits under the provisions of this Act because of disability,
 16 such employe shall be restored to active service by the *employer in such posi-*
 17 *tion as was held by him* at the time of his disability.

Sec. 27. *An employe less than sixty-five years of age, and an employe*
 2 *sixty-five or more years of age and less than seventy years of age who shall not*
 3 *have completed fifteen years of service, who shall become so disabled as the*
 4 *direct result of injury incurred in the performance of one or more specific acts*
 5 *of duty that he cannot perform the duties of his position shall receive, while so*
 6 *disabled, an annuity equal in amount to seventy-five per cent of his salary as*
 7 *it shall be at the date when such disability results, subject to the limitations*
 8 *hereinafter stated in this section.*

9 Such employe shall also receive a further annuity, subject to the limita-
 10 tions hereinafter stated, of the amount stated in Section 20, on account of each
 11 child of his blood under eighteen years of age: *Provided, however,* that any
 12 such disabled employe shall not receive any annuity in excess of the amount of
 13 his salary at the time of such injury less the sums that would be deducted from
 14 the salary of such employe for old age retirement annuity and widow's annu-
 15 ity purposes as prescribed herein, if such employe were in receipt of such
 16 salary.

17 *Contributions equal in amount to the contributions theretofore made by*
 18 *such employe, and on his behalf by the employer, for old age retirement annu-*
 19 *ity purposes and for widow's annuity purposes, if such employe be a male*
 20 *employe, shall be made by the employers during the period of disability until*
 21 *the time when the Old Age Retirement Annuity of such employe is determined.*

22 Subject to the modifications stated in Section 28, the amount of annuity pre-
 23 scribed herein shall be payable to such employe during disability *until the time*

24 *when the Old Age Retirement Annuity of such employe shall be determined.*
25 *At such time if such employe shall be still disabled he shall be retired upon Old*
26 *Age Retirement Annuity.*

27 If an employe, before his attainment of *the* age of sixty-five years, or if
28 *an employe sixty-five or more years of age and less than seventy years of age*
29 *who shall not have completed fifteen years of service, shall lose his life as the*
30 *direct result of injury incurred in the performance of one or more specific*
31 *acts of duty, or shall receive injury while in performance of duty from which*
32 *he shall specifically die, and a widow shall survive him, then such widow, pro-*
33 *vided she does not marry, shall receive an annuity, subject to the modifications*
34 *stated in Section 28, of an amount equal to fifty per cent of the salary of such*
35 *employe as it shall be at the time of his death or injury, until the date when the*
36 *amount of Old Age Retirement Annuity for such employe, if he had been alive*
37 *and in service, would have been determined. After such date, her annuity shall*
38 *be that provided for the widow of an employe who dies while in service, ex-*
39 *cept that the amount of such annuity shall not be less than the widow's annuity*
40 *that would have been provided for her if her husband had lived and remained*
41 *in service at the rate of salary received by him at the time of his death or injury*
42 *until the amount of annuity to which such woman would have a right would*
43 *have been determined.*

44 If the widow of an employe who loses his life in or as a consequence of
45 the performance of duty, marries, her annuity after such marriage shall be that
46 provided for the widow of an employe who dies while in service or after re-
47 tirement on annuity.

48 All annuities and benefits payable on account of injury or death of an em-
49 ploye while in or as a consequence of the performance of one or more specific
50 acts of duty, before the Old Age Retirement Annuity provided for such employe
51 shall be determined, and all annuities and benefits payable to widows of such
52 employes in excess of the annuities provided for such widows from the Annuity
53 Reserve Fund and Supplementary Fund shall be paid by the employers.

Sec. 28. If an employe or the members of a family, as herein described,
 2 of an employe, shall receive any compensation under or by virtue of the Work-
 3 men's Compensation Act on account of disability or death resulting from the per-
 4 formance of *one or more specific acts of duty*, the annuity or annuities prescribed
 5 for such person or persons shall be reduced by the amount or amounts of such
 6 compensation, if such amount or amounts be less than such annuity or annuities,
 7 and if the amount or amounts received as compensation exceed such annuity or
 8 annuities, then an annuity or annuities shall not be payable to the recipient or
 9 recipients of such compensation until the expiration of the period of time dur-
 10 ing which the sum of the annuity or annuities payable at the rate herein stated
 11 would equal the sum or sums received as compensation.

Sec. 29. If any employe shall withdraw from service before attainment of
 2 the age of *sixty-five* years, *having been in service for less than ten full years*, re-
 3 funds shall be made upon request, or if no request is made, then when such
 4 employe shall attain the age of sixty-five years. If any employe shall withdraw
 5 from service after completion of at least ten full years of service but before
 6 attainment of the age of fifty-five years, refunds shall be made upon request,
 7 provided such request is made before such employe shall have attained the age
 8 of fifty-five years.

9 The amount of refund shall be an amount equal to the accumulation from
 10 deductions from salary of such employe, for old age retirement annuity and
 11 widow's annuity purposes, on the date when such employe shall withdraw from
 12 service, improved by interest at the rate of three and one-half per cent per an-
 13 num from the date when such employe shall withdraw from service to the date
 14 when request for refund is made; provided, however, that such accumulation
 15 shall not be improved at interest for a longer period than twenty years from the
 16 date when such employe shall withdraw from service.

17 If any male employe shall attain the age of *sixty-five* years while in service
 18 and shall have no wife on the date when he attains such age, or if any male
 19 employe shall enter upon annuity before his attainment of the age of *sixty-five*

20 years and shall have no wife on the date when he enters upon annuity, or if any
21 employe, who withdraws from service before attainment of the age of fifty-five
22 years, after completion of at least ten *full years* of service, and has not received
23 refunds of deductions from salary as hereinbefore stated in this section, has no
24 wife on the date when he enters upon annuity, then refund shall be made of the
25 accumulation on such date to the credit of such employe to provide a widow's
26 annuity for such employe.

27 If any employe shall die while in service before attaining the age of *sixty-*
28 *five* years, or if any employe who withdrew from service before attainment of the
29 age of fifty-five years, after completion of at least ten years of service and has
30 not received refunds of deductions from salary as hereinbefore stated in this
31 section, shall die before entering upon annuity, or if any employe shall attain
32 the age of sixty-five years while in service, or if any employe after at least ten
33 years of service shall withdraw from service having attained at least the age of
34 fifty-five years, or if any employe who shall withdraw from service after at least
35 ten years of service, but before attainment of the age of fifty-five years, shall
36 not make request for refund before attaining the age of fifty-five years, the
37 amount subject to refund shall be:

38 The amount accumulated from the deductions from the salary of such em-
39 ploye for old age retirement annuity and widow's annuity purposes, including
40 all amounts paid by the employer for such purposes, in lieu of deductions
41 from the salary of any employe disabled while in or in consequence of the per-
42 formance of duty, less all amounts paid in annuity to such employe and the
43 widow of such employe, shall be refunded upon death of the last survivor of
44 employe and wife. Refunds as provided in this paragraph shall be paid from
45 the Annuity Reserve Fund.

46 The foregoing provisions of this section shall be modified to the extent that
47 if any annuity arises through disability or death of an employe as a direct re-
48 sult of injury incurred in the performance of duty, the amount subject to re-
49 fund shall not be reduced by any amounts paid in annuity prior to the date when

50 such employe shall attain the age of sixty-five years or would have attained
51 such age if alive.

52 Refunds of accumulation from contributions of the employer for Old Age
53 Retirement Annuity shall be made to the employers in the form of a credit to
54 reduce the contributions which such employers would otherwise be required to
55 make during the following year, in amounts and under conditions as stated
56 below.

57 1. If an employe withdraws from service and receives in refunds the ac-
58 cumulation from deductions from salary for old age retirement annuity and
59 widow's annuity purposes for him, the entire amount accumulated from con-
60 tributions of the employer to provide Old Age Retirement Annuity and
61 Widow's Annuity for such employe shall be credited to the employer concerned
62 when refund to the employe is made.

63 2. If an employe withdraws from service and does not receive refund of
64 the accumulation from deductions from his salary for old age retirement an-
65 nuity and widow's annuity purposes for him, the accumulation of contributions
66 by the employer for Old Age Retirement Annuity on behalf of such employe
67 shall remain to the credit of such employe until the date when such employe
68 attains the age of *sixty-five* years. On such date the accumulation, or that part
69 not to be credited to such employe on such date, shall be credited to the em-
70 ployer concerned on such date.

71 3. *Upon the death of an employe before the annuity rights of his wife have*
72 *been determined; any balance remaining after Widow's Annuities have been*
73 *provided for; shall be credited to the employer concerned as of the date of*
74 *death of the employe.*

75 4. *Upon the death of an employe before the Old Age Retirement Annuity*
76 *rights of such employe are determined, if such employe leaves no wife, the ac-*
77 *cumulation to the credit of such employe shall be credited to the employer*
78 *concerned.*

79 5. *When the sum accumulated from contributions of any employer when*
80 *taken with the sum accumulated from deductions from salary are more than*
81 *sufficient to provide an annuity in excess of the maximum annuity herein pro-*
82 *vided for any employe or widow the excess shall be credited to the employer*
83 *concerned on the date when the amount of any such annuity is determined.*

84 Refunds shall be made as directed by the employe in writing. If no direc-
85 tion is given, they shall be made to the widow of such employe, or if no widow
86 exists, then to the children of such employe in equal amounts to each, or if no
87 children exist, then to surviving parents, if any, in equal amounts to each, or
88 if there be no surviving parents, then to the heirs, executors, administrators, or
89 assigns of such employe.

90 In case of the withdrawal of an employe from service, the Retirement Board
91 may at its discretion defer payment of refunds for a period not to exceed one
92 year, except that, if at the end of the year suit is pending to determine the em-
93 ploye's right to retain his former position, payment of refunds shall be sus-
94 pended until disposition is made of such suit.

 Sec. 29½. Notwithstanding any other provisions of this Act, the following
2 described wives or widows of employes shall not have any right to annuity
3 from the Annuity and Benefit Fund herein provided for:

4 (a) The wife or widow, married subsequent to the date upon which this
5 Act shall come into force and effect, of any employe who shall die while in serv-
6 ice if such widow shall not have been married to such employe before he shall
7 have attained an age of sixty-five years.

8 (b) The wife or widow, married subsequent to the date upon which this
9 Act shall come into force and effect, of any employe who shall withdraw from
10 service and who shall or shall not have entered upon annuity, and who shall
11 die while out of the service, if such widow shall not have been the wife of such
12 employe while he was in the service and before he attained an age of sixty-five
13 years.

14 (c) The wife or widow of any employe who shall have served ten or more
 15 years and who shall die while out of the service after he shall have withdrawn
 16 from service, who shall have received a refund of the sums to his credit for an-
 17 nuity purposes to which he shall have a right of refund as provided in Section
 18 29 hereof.

19 (d) The wife or widow of any employe who shall die while out of the ser-
 20 vice after he shall have withdrawn from service before he shall have attained
 21 an age of sixty-five years and who shall not have served at least ten years.

22 If any employe shall have a wife, married as described above, he shall be
 23 deemed for purposes of this Act as having no wife.

Sec. 31. All annuities and all reserves on annuities, present or prospect-
 2 ive, provided for in this Act, shall be computed according to the American Ex-
 3 perience Table of Mortality and four per cent interest. Unless otherwise spe-
 4 cifically stated, all interest accretion shall be at the rate of four per cent per
 5 annum.

6 In any case where the annuity provided under this Act is less than ten dol-
 7 lars (\$10.00) per month, then an annuity of ten dollars (\$10.00) per month
 8 shall be paid the annuitant as a temporary annuity.

9 A fiscal year shall mean the year commencing with July first and ending
 10 with June thirtieth next following.

11 Any person classed as an employe as defined in this Act, or any person who
 12 shall hereafter become classed as an employe as defined in this Act shall by such
 13 employment accept the provisions of this Act and thereupon become a contribu-
 14 tor under said Act in accordance with the terms thereof. And the provisions
 15 of this Act shall become a condition of the employment of such person and part
 16 of any contract of employment entered into by and with any such person.

17 Any amount paid into the Employers' Annuity Fund or the Salary Deduc-
 18 tions for Annuity Fund, shall begin to earn interest from the last day of the
 19 calendar month when such amount is paid into such fund.

20 Wherever “contribute”, “contributions”, “contributor”, or “contributed”
21 of or by an employe are mentioned in this Act they shall mean amounts de-
22 ducted from the salary of an employe or amounts otherwise paid by an employe
23 for the purposes of this Act.

24 In any case where the combined annuities of a widow and children of a de-
25 ceased employe or of a disabled employe and children of such employe, would
26 exceed the limitation upon the combined annuities of such a group of persons as
27 stated in Section 21, the annuities of such widow and children, or of such em-
28 ploye and children, shall be prorated, to conform to the limitation stated, ac-
29 cording to the amounts that would otherwise be received by such persons.

30 The Retirement Board shall employ one or more actuaries, whose duty it
31 shall be to determine the amount of money necessary to be provided under the
32 provisions of this Act, and to assist the Retirement Board in preparing the
33 statement which said board shall prepare as of June 30, of each year, and to
34 certify as to the correctness of such statement.

35 All moneys accruing from the levy and collection of taxes, under Section 3
36 hereof shall be turned over to the custodian of the Annuity and Benefit Fund
37 by any official or officials who shall receive said moneys, as soon as they are col-
38 lected. *Should any board or park commissioners included under the provisions*
39 *of this Act be without authority to levy the tax described in Section 3 of this*
40 *Act, the corporate authorities (meaning the supervisor, clerk and assessor) of*
41 *the town or towns for which such board shall be the board of park commission-*
42 *ers shall levy such tax.*

43 *For all purposes of this Act the following schedule shall be observed in com-*
44 *puting the term of service of any employe whose salary or wages shall be ar-*
45 *ranged on other than a yearly basis, and any fractional part of a year of serv-*
46 *ice rendered by any such employe during any one calendar year shall be deter-*
47 *mined according to said schedule.*

48 *Monthly Basis: Service during four months in any one fiscal year shall con-*
49 *stitute a year of service.*

50 *Weekly Basis: Service during any week shall constitute a week of service*
 51 *and service during any seventeen weeks of any one fiscal year shall constitute a*
 52 *a year of service.*

53 *Daily Basis: Service during any day shall constitute a day of service and*
 54 *service during one hundred days in any one fiscal year shall constitute a year of*
 55 *service.*

56 *Hourly Basis: Service during any hour shall constitute a day of service*
 57 *and service during enght hundred hours in any one fiscal year shall constitute*
 58 *a year of service.*

59 *Notwithstanding any other provisions of this Act, if a wife shall be older*
 60 *than five years the junior of her husband, her age for annuity purposes shall be*
 61 *assumed to be five years less than that of her husband.*

Sec. 33. When any employe who shall withdraw from service shall re-
 2 enterservice before he shall have attained an age of sixty-five years, any annu-
 3 ity previously granted to such employe and any annuity determined for the
 4 wife of such employe shall be cancelled. Such employe shall be credited in his
 5 account for annuity purposes with sums sufficient to provide annuities equal
 6 in amounts to those cancelled for such employe and the wife, for whom such
 7 annuity shall have been determined, of such employe as of their respective ages
 8 on the date of such employe's re-entrance into service. Such sums shall be
 9 credited to such employe to provide for annuities to be granted in the future.
 10 Deductions from the salary of any such employe and contributions by the em-
 11 ployers for all purposes of this Act shall be made as hereinbefore provided,
 12 from the time of such re-entrance into service, and when the proper time, as
 13 provided in the foregoing sections of this Act, shall have arrived, new annui-
 14 ties based upon the amount to the credit of such employe for annuity purposes,
 15 and the entire term of such employe's service, shall be fixed for such employe
 16 and for such wife of such employe.

17 When any such employe shall re-enter service after he shall have attained
 18 an age of sixty-five years, payments on account of any annuity previously

19 granted to such employe shall be suspended during the time thereafter that he
20 shall be in service, and when he shall again withdraw therefrom, payments
21 upon the annuity previously granted shall be resumed. If any such employe
22 shall die while in service, his widow shall receive the amount of any annuity
23 previously determined for her.

24 In the case of any employe described in the first paragraph of this section,
25 whose wife for whom annuity shall have been determined prior to his re-
26 entrance into the service, shall have died before he shall have re-entered the
27 service, no part of any sum or sums to the credit of such employe for widow's
28 annuity and for widow's supplementary annuity purposes at the time annuity
29 for such wife shall have been determined shall be credited to such employe at
30 the time when he shall re-enter the service, and no part of any such sum or
31 sums shall be used to provide annuity for any wife of such employe who shall
32 be such wife during all or any part of the period of time during which such
33 employe shall be in service after he shall have re-entered the same.

34 Any employe who shall not withdraw the amounts to which he shall have
35 a right to refund or shall not have entered upon annuity, shall have a right to
36 to have all such amounts and all other amounts to his credit for annuity pur-
37 poses on the date of his withdrawal from service retained to his credit and im-
38 proved by interest while he shall be out of the service at the rate of three and
39 one-half per cent per annum and used for annuity purposes for his benefit and
40 the benefit of any person who may have any right to annuity through him be-
41 cause of his service, according to the provisions of this Act, in the event he
42 shall subsequently re-enter service before attainment of the age of sixty-five
43 years.

44 Any employe who shall withdraw the amounts to which he shall have a right
45 to refund shall *ipso facto* forfeit all rights to annuity for himself and for any
46 one who may have any right to annuity through him, and all credit for service
47 rendered by him before refund was made. If any such employe shall afterwards
48 re-enter the service, his status after re-entrance shall be that of an employe who
49 enters the service for the first time.

Sec. 34. It is the intention of this Act that any person who on July 1, 1921,
2 shall be receiving Old Age Retirement Annuity or Supplementary Annuity or
3 both such annuities, and whose period of service considered for annuity purposes
4 under the provisions of this Act shall be less than fifteen years, and also the
5 widow of any such person, and also any widow, who on July 1, 1921, shall be
6 receiving Widow's Annuity or Widow's Supplementary Annuity, or both such
7 annuities, and whose husband's period of service considered for annuity pur-
8 poses under the provisions of this Act shall be less than fifteen years, shall
9 receive annuity from and after July 1, 1919, of such amount as can be pro-
10 vided for such person or for such widow, respectively, in accordance with the
11 provisions of this Act as amended. .



2 Adopted May 12, 1921.

AMENDMENT NO. 1.

Amend House Bill No. 664 by amending the printed form as follows:

2 (Amendments to Section 10.)

3 On pages 10 and 11, in lines 45 and 46, strike out the words "the aggregate
4 salaries of all such employes involved for such fiscal year," and substitute in
5 lieu thereof the words "of each payment on account of salary of such employe."

6 On page 15, in line 193, of Section 10, strike out the word "the" between
7 the words "at" and "time" and insert in lieu thereof the word "any."

8 On page 20, in lines 324 to 340, inclusive, strike out said lines, and substitute
9 in lieu thereof the following:

10 "Employers' Supplementary Fund: The Retirement Board shall determine
11 the amounts to the credit of each present employe on July 1, 1919, for supple-
12 mentary annuity and widows' supplementary annuity purposes as provided
13 elsewhere herein. An amount equal to the total of the amounts thus determined
14 for all the employes of any employer shall be a liability of such employer, as of
15 such date.

16 To remove said liability, such employer shall pay into a fund to be known as
17 the Employers' Supplementary Fund each year an amount determined as stated
18 in this section hereinafter until the present value as of July 1, 1919, of the pay-
19 ments thus made together with the present value as of such date of amounts equal
20 to the amounts of liability of such employer released under the provisions of
21 this Act, by reason of resignation, discharge, or death of employes of such em-

22 ployer shall amount to a sum equal to the amount held as the liability of such
23 employer on such date.

24 When the present value of the amounts thus paid and credited shall become
25 equal to the liability of such employer as aforesaid, then payments to this fund
26 by such employer shall be discontinued, but if for any”.

27 (Amendment to Section 11.)

28 Amend Section 11, on page 21, in lines 13 and 14 of said section, by strik-
29 ing out the following words: “Concurrently with each such deduction from the
30 salary of any future entrant.”

31 (Amendments to Section 13.)

32 On page 23, in line 24, of Section 13, strike out the word “deductions” and
33 substitute in lieu thereof the word “contributions”.

34 On page 23, at the end of Section 13, insert the following as a paragraph of
35 said section:

36 “In case it shall not be possible or practicable for the employer to make any
37 such contribution at the time any such deduction shall be made, such employer
38 shall make such contribution as soon as possible thereafter with interest thereon
39 at the rate of four per cent per annum to the date when such contribution shall
40 be made.”

41 (Amendment to Section 18.)

42 On page 29, in line 17 of Section 18, after the word “employer” insert the
43 words “of such employe.”

44 (Amendments to Section 19.)

45 On page 30, in line 3 of Section 19, strike out the word “not” following the
46 word “have” and insert the word “not” between the words “shall” and
47 “have”.

48 On page 30, in line 8 of Section 19, strike out the word “sixty-five” and
49 insert in lieu thereof the word “sixty”.

50 (Amendment to Section 27.)

51 On page 42, in line 20 of Section 27, strike out the word "employers" and
52 insert in lieu thereof the words "employer of such employe".

53 (Amendments to Section 29.)

54 On page 44, in line 2 of Section 29, strike out the word "sixty-five" and
55 insert in lieu thereof the word "sixty".

56 On page 46, in line 53 of Section 29, after the word "Annuity" insert the
57 words "and Widows' Annuity purposes, and also for Supplementary Annuity
58 and Widows' Supplementary Annuity purposes after contributions by such em-
59 ployer for such purposes are completed."

60 On page 46, in lines 60 and 61 of Section 29, strike out the words "to provide
61 Old Age Retirement Annuity and Widows' Annuity" and substitute in lieu
62 thereof the following words: "for annuity and widow's annuity purposes."

63 On page 46, in line 66 of Section 29, strike out the words "Old Age Retire-
64 ment Annuity" and substitute in lieu thereof the following words: "annuity and
65 widow's annuity purposes."

66 (Amendment to Section 29½.)

67 On page 48, in line 21 of Section 29½, strike out the word "sixty-five" and
68 insert in lieu thereof the word "sixty".

69 (Amendment to Section 34.)

70 On page 52, in line 9 of Section 34, strike out the number "1919" and insert
71 in lieu thereof the number "1921".



1 Introduced by Mr. Williston, April 20, 1921.

2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Section 5 of "An Act concerning county treasurers, in counties containing more than 150,000 inhabitants, and concerning public funds within their custody and control and the interest thereon, and to repeal all Acts or parts of Acts in conflict therewith," approved June 29, 1915, in force July 1, 1915, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: Section 5 of "An Act concerning county treasurers, in counties containing more than 150,000 inhabitants, and concerning public funds within their custody and control and the interest thereon, and to repeal all Acts or parts of Acts in conflict therewith," approved June 29, 1915, in force July 1, 1915, as amended, is amended to read as follows*

Sec. 5. For the purpose of establishing a control over the withdrawal, in accordance with the provisions of this Act, of all moneys deposited in any bank or depository, as hereinafter required, *and for the purpose of distributing the moneys received and the interest thereon which may be due from time to time*

5 *to the various taxing authorities to whom the same shall be paid, such moneys*
6 *are hereby classified as follows:*

7 Class A. All taxes and special assessments received by the county treas-
8 urer in his capacity as ex-officio county collector or ex-officio town collector, and
9 held by him pending distribution to the several governments or authorities en-
10 titled to receive the same, shall be known as "Class A" funds.

11 Class B. All other moneys belonging to the State of Illinois or to any
12 political or corporate subdivision thereof, except the county, shall be known as
13 "Class B" funds.

14 Class C. All moneys belonging to the county in its corporate capacity shall
15 be known as "Class C" funds.

16 Class D. All other county moneys as defined in Section 1 of this Act shall
17 be known as "Class D" funds.

18 *The county treasurer shall keep his accounts in such manner that the same*
19 *will show from day to day, the amount due to the State of Illinois, and to each*
20 *of the political or corporate subdivisions thereof.*



- 1 Introduced by Mr. Williston, April 20, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Sections 13 and 15 of "An Act concerning county treasurers, in counties containing more than 150,000 inhabitants, and concerning public funds within their custody and control and the interest thereon, and to repeal all Acts or parts of Acts in conflict therewith," approved June 29, 1915, in force July 1, 1915, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Sections 13 and 15 of "An Act concerning county treasurers, in counties containing more than 150,000 inhabitants, and concerning public funds within their custody and control and the interest thereon, and to repeal all Acts or parts of Acts in conflict therewith," approved June 29, 1915, in force July 1, 1915, as amended, are amended to read as follows:

Sec. 13. The county treasurer shall make to the county clerk a report, under oath, for each calendar month, of all interest received by the county

3 treasurer or credited to the county treasurer by any bank or other depository,
4 in which is deposited any county moneys.

Sec. 15. Such report shall be made and verified to the county clerk on or
2 before the fifth day of the month next succeeding the month for which the re-
3 port is rendered. *At the time of making such report, the county treasurer*
4 *shall pay into the county treasury, for the benefit of the county, the interest on*
5 *all moneys due the county, received or credited to him, as shown by said report,*
6 *and pay to or credit the accounts of the State of Illinois and each political or*
7 *corporate subdivision thereof, the interest so received or credited to him, as*
8 *shown by said report, which has accrued on the moneys in his possession be-*
9 *longing to the State of Illinois or such political or corporate subdivision of the*
10 *same. Penalties which accrue to the various taxing authorities on account of*
11 *delinquent taxes or special assessments received by the county treasurer in his*
12 *capacity as ex-officio county collector, or ex-officio town collector, shall be cred-*
13 *ited to the taxing authorities entitled to the taxes or special assessments on which*
14 *such penalties are collected.*



- 1 Introduced by Mr. Young, April 20, 1921.
- 2 Read by title, ordered printed and referred to Committee on Revenue.

A BILL

For an Act to amend Section 182 of an Act entitled, "An Act for the assessment of property and for the levy and collection of taxes," approved March 30, 1872, in force July 1, 1872, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That Section 182 of an Act entitled, "An
3 Act for the assessment of property and for the levy and collection of taxes,"
4 approved March 30, 1872, in force July 1, 1872, as amended, be and the same is
5 hereby further amended to read as follows:

Sec. 182. At any time after the first day of April next after such delin-
2 quent taxes and special assessments on lands and lots shall become due, the col-
3 lector shall publish an advertisement, giving notice of the intended application
4 for judgment for sale of such delinquent lands and lots, in a newspaper printed
5 and published in his county, if any such there be, and if there be no such paper
6 printed and published in his county, then in the nearest newspaper in this State
7 to the county seat of such county. Said advertisement shall be once published

8 at least two weeks previous to the term of the County Court at which judgment
 9 is prayed, and shall contain a list of the delinquent lands and lots upon which
 10 the taxes or special assessments remain due and unpaid, the names of owners, if
 11 known, the total amount due thereon, and the year or years for which the same
 12 are due. Said collector shall give notice that he will apply to the County Court
 13 at the.....term thereof, for judgment against said lands and lots
 14 for said taxes, special assessments, interest and costs, and for an order to sell
 15 said lands and lots for the satisfaction thereof; and shall also give notice that,
 16 on the.....Monday next succeeding the day fixed by law for the commence-
 17 ment of such term of the said County Court, all the lands and lots for the sale
 18 of which an order shall be made, will be exposed to public sale at the building
 19 where the County Court is held in said county, for the amount of taxes, special
 20 assessments, interest and cost due thereon; and the advertisement published
 21 according to the provisions of this section shall be deemed to be sufficient notice
 22 of the intended application for judgment and the sale of lands and lots under
 23 the order of said court. Where the publisher of any paper that may have been
 24 selected by the collector shall be unable or unwilling to publish such advertise-
 25 ment, the collector shall select some other newspaper, having due regard to the
 26 circulation of such paper. *Provided*, that in cities having a population of one
 27 hundred thousand or more by the last preceding census of the United States, or
 28 of this State, separate advertisements may be made giving notice of an intended
 29 application for judgment and for an order of sale on account of delinquent spe-
 30 cial assessments at any time after the first day of August next after such spe-
 31 cial assessments shall have become delinquent, the procedure in such case to be
 32 in all other respects except as to the time of making advertisement, application
 33 for judgment and sale, the same as in the case of delinquent general taxes;
 34 *Provided, further, that such sale for delinquent special assessments shall be*
 35 *commenced not later than the fourth Monday in October and shall be concluded*
 36 *before the thirtieth day of November of the year in which the said special as-*
 37 *sessments shall have become delinquent.*



- 1 Introduced by Mr. Young, April 20, 1921.
- 2 Read by title, ordered printed and referred to Committee on Revenue.

A BILL

For an Act to amend section 186 of an Act entitled, "An Act for the assessment of property and for the levy and collection of taxes," approved March 30, 1872, in force July 1, 1872, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: That Section 186 of an Act entitled, "An Act for the assessment of property and for the levy and collection of taxes," approved March 30, 1872, in force July 1, 1872, as amended, be and the same is hereby further amended to read as follows:*

§ 186. *In all cases except where lands or lots have been forfeited to the State for non-payment of taxes or special assessments two or more years in succession next preceding the application for judgment and order of sale, the county collector shall, at least five days before the date of sale of delinquent lands or lots upon which the taxes or special assessments remain due and unpaid, send a notice by registered mail to the owner, if known, or if not known, to the person shown by the collector's book to have paid the taxes or special*

8 assessments on such lands or lots for the previous year, giving notice of appli-
9 cation for judgment and sale of such lands or lots, and date of sale, describ-
10 ing the lands or lots, and the amount of taxes or special assessments, together
11 with interest and costs, due thereon. For such notice the county collector shall
12 charge twenty (20) cents to be taxed and collected as costs.



- 1 Introduced by Mr. Berry, April 20, 1921.
- 2 Read by title, ordered printed and referred to Committee on Elections.

A BILL

For an Act to amend Section 61 of an Act entitled, "An Act to provide for the holding of primary elections by political parties", approved March 9, 1910; in force July 1, 1910.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That Section 61 of an Act entitled, "An
3 Act to provide for the holding of primary elections by political parties," ap-
4 proved March 9, 1910, in force July 1, 1910, be and the same is hereby amended
5 to read as follows:

Sec. 61. BOARD OF ELECTION COMMISSIOERS—DUTIES.] In cities having a
2 board of election commissioners the duties herein imposed upon the county, city
3 or village clerk, as the case may be, shall be discharged by the board of election
4 commissioners in the same manner, as near as may be, and to the same extent
5 and with like effect that the similar duties imposed by this Act are discharged
6 by the county, city or village clerk, as the case may be; and the ballots for the
7 nomination of all candidates to be voted for in such city shall be printaed by the

8 board of election commissioners and the returns of the primary held in such city
9 shall be made to such board of election commissioners. *Provided, however, that*
10 *in cities having a population of over 500,000 inhabitants petitions for nomina-*
11 *tions under this Act for any city office or offices (including the office of alder-*
12 *man and offices of bailiff, clerk, chief justice and associate judges of the munici-*
13 *pal court of Chicago), shall be filed in the office of the city clerk as provided in*
14 *Section 30 of this Act as amended.*



- 1 Introduced by Mr. Gregory, April 20, 1921.
- 2 Read by title, ordered printed and referred to Committee on Waterways.

A BILL

For an Act to amend Sections 14 and 29 of “An Act creating a rivers and lakes commission for the State of Illinois and defining the duties and powers thereof,” approved June 10, 1911, in force July 1, 1911, as amended, to add Section 29a thereto and to repeal Section 30 thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Sections 14 and 29 of “An Act creating
3 a rivers and lakes commission for the State of Illinois and defining the duties
4 and powers thereof,” approved June 10, 1911, in force July 1, 1911, as amended,
5 are amended and Section 29a is added thereto, the amended and added sections
6 to read as follows:

Sec. 14. It shall be the duty of the Department of Public Works and Build-
2 ings, to see that all the streams and lakes of the State of Illinois, wherein the
3 State of Illinois or any of its citizens has any rights or interests, are not pol-
4 luted or defiled. It shall be unlawful for any person, persons, firm or corpora-
5 tion, to throw, discharge, dump, or deposit, or cause, suffer, or procure to be

6 thrown, discharged, dumped, or deposited any acids or chemicals, industrial
 7 wastes or refuse, poisonous effluent or dye-stuff, clay or other washings, or any
 8 other substance deleterious to fish life, or any refuse matter of any kind or
 9 description containing solids, substance, discoloring or otherwise polluting any
 10 navigable lake or river in this State, or lake or river connected with or the
 11 waters of which discharge into any navigable lake or river of this State. Any
 12 person, persons, firm, or corporation violating the provisions of this section
 13 shall upon conviction thereof be fined in a sum not exceeding five hundred dol-
 14 lars (\$500.00) for each offense. Complaints of violations of the provisions of
 15 this section shall be made to the Department of Public Works and Buildings
 16 of the State of Illinois. This Department is authorized to make investigations,
 17 and hold hearings if necessary, to determine whether or not the complaint is
 18 well founded. If the department shall find the complaint is well founded it may,
 19 after giving due and reasonable notice to the persons to be affected thereby
 20 and after giving such persons an opportunity to be heard, make, with the assist-
 21 ance of engineering suggestion, an order prescribing methods for neutralizing
 22 said acids and other poisonous substances and to prevent continued pollution of
 23 said streams and shall have the power to prohibit discharges, as herein de-
 24 fined, into said lakes or streams until the terms of said order have been com-
 25 plied with.

Sec. 29. No provision of this Act shall be construed as limiting or impair-
 2 ing the powers and rights heretofore granted to any board of park commis-
 3 sioners, now existing, where such board of park commissioners have control of
 4 a park or parks within the limits of cities having a population of 200,000 or
 5 over, and where such park commissioners are appointed by the Governor of
 6 the State of Illinois, or by judges of the circuit court of the county in which
 7 such park district is located: *Provided, however,* that before any new work is
 8 done by any such board of park commissioners affecting submerged lands in
 9 navigable waters of the State of Illinois the plans for all such work shall be

10 submitted to the Department of Public Works and Buildings for approval
11 before said work is undertaken.

Sec. 29a. Before any drainage district now or hereafter organized in this
2 State shall undertake any work which will increase the flow of water to be
3 discharged into any of the streams of this State or which will involve any
4 change in the natural course of any stream, work therein or improvement
5 thereof, such district or districts shall submit the proposed plans for such work
6 to the Department of Public Works and Buildings for approval. When such
7 plans are submitted it shall be the duty of said Department to investigate con-
8 ditions and have engineering check and review of said plans, and may require
9 such changes and modifications as may be found necessary to protect public
10 interests in said streams. If said Department finds public interests are pro-
11 tected and said plans will not result in avoidable damage from flood condi-
12 tions, it shall approve said plans and issue permit for the work.

Sec. 2. Section 30 of said Act is repealed.



1 Offered by Committee on Canals and Waterways, May 31, 1921.

2 Ordered printed.

AMENDMENT NO. 1.

Amend House Bill No. 670, in the Senate, page 2, by striking out lines 10
2 and 11 and substituting therefor the following: "navigable lake, river or
3 stream in this State, or lake, river or stream connected with or the waters of
4 which discharge into any navigable lake, river or stream of this State or upon
5 the borders thereof, or any watercourse whatsoever. Any,"

AMENDMENT NO. 2.

Amend House Bill No. 670, in the Senate, page 2, line 25, after the word
2 "with" by inserting a semi-colon and the following:

3 "Provided, however, that the provisions of this section shall not apply to
4 that portion of the Desplaines river lying down stream from any point at
5 which the waters of the Sanitary District of Chicago have been or are dis-
6 charged into said Desplaines river, nor to the waters of Hickory Creek, tribu-
7 tary to said Desplaines river."



- 1 Introduced by Mr. Devine, April 20, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act relating to the extortion, or attempted extortion of money, or other property for the purpose of avoiding, settling or terminating demands, claims, disputes or controversies between organizations, associations or groups of workmen or workwomen and employers, property owners or property lessees, and to fix the punishment therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* It shall be unlawful for any person by
3 virtue of representing, or under color of representing organizations, associa-
4 tions or groups of workmen or workwomen, to extort or attempt to extort, de-
5 mand, accept or obtain, or attempt to obtain, from an employer, property
6 owner or property lessee, or from the agent or representative of any of them,
7 money or other property as a consideration for the withholding, withdrawing,
8 settling or terminating of any demand, claim, dispute or controversy relating
9 to the employment of such workmen or workwomen or relating to the handling,
10 delivery or use of materials or supplies.

Sec. 2. It shall be unlawful for any person by virtue of representing, or
2 under color of representing organizations, associations, or groups of workmen
3 or workwomen, to induce or compel, or attempt to induce or compel, an employer,
4 property owner or property lessee, or the agent of either of them, to pay money
5 or other property as a consideration for withholding, withdrawing, settling or
6 terminating any demand, claim, dispute or controversy relating to the employ-
7 ment of such workmen or workwomen, or relating to the handling, delivery or
8 use of materials or supplies.

Sec. 3. It shall be unlawful for any person by virtue of representing or
2 under color of representing any organization, association or group of workmen
3 or workwomen to enforce or seek to enforce, to demand, levy, impose, collect
4 or seek to collect from any employer, property owner, or property lessee, or the
5 agent or representative of any of them, any money or other property by way
6 of a fine, penalty or demand because of the actions of such employer, property
7 owner or property lessee in any dispute, controversy or negotiation with work-
8 men or workwomen.

Sec. 4. No person shall be excused from attending, testifying and produc-
2 ing any books, papers, documents or other evidence before any court, magistrate
3 or grand jury, upon any investigation, proceeding or trial for a violation of
4 the provisions of this Act, upon the ground, or for the reason that the testimony
5 or evidence, documentary or otherwise, required of him may tend to criminate
6 him or to subject him to a penalty or forfeiture; but no person shall be prose-
7 cuted or subjected to any penalty or forfeiture for or on account of any trans-
8 action, matter or thing concerning which he may so testify or produce evidence,
9 documentary or otherwise, except for perjury committed in such testimony.

Sec. 5. Any person violating this Act shall be fined not more than two
2 thousand dollars, or imprisoned in the penitentiary not less than one year nor
3 more than two years, or may be so fined or imprisoned in the discretion of the
4 court.



- 1 Introduced by Committee on Appropriations, April 21, 1921.
- 2 Read at large a first time, ordered printed and to a second reading.

A BILL

For an Act making appropriations for the State Normal Schools.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
represented in the General Assembly: There is appropriated to the Department
of Registration and Education for the support, operation, maintenance and ex-
penses of the State Normal Schools until the expiration of the first fiscal quarter
after the adjournment of the next regular session of the General Assembly the
sum of two million, fifty-three thousand, two hundred and twenty-four dollars
(\$2,053,224) in the following items for the objects and purposes specified
therein:

FOR THE ILLINOIS STATE NORMAL UNIVERSITY:	
For Salaries and Wages:	
President, Faculty (36 weeks per annum), clerical and operating force	\$368,862
Summer Session (12 weeks per annum)	72,528
For Office Expenses.....	3,200

15	For Travel.....	7,000
16	For Operation.....	48,000
17	For Repairs and Equipment.....	35,600
18	Total for the Illinois State Normal University \$535,190.]	

19 FOR THE EASTERN ILLINOIS STATE NORMAL SCHOOL:

20	For Salaries and Wages:	
21	President, Faculty (36 weeks per annum) clerical and operating	
22	force	\$258,192
23	Summer Session (12 weeks per annum)	34,798
24	For Office Expenses.....	3,000
25	For Travel.....	1,800
26	For Operation.....	36,000
27	For Repairs and Equipment.....	32,300
28	Total for the Eastern Illinois State Normal School \$366,090.]	

29 FOR THE WESTERN ILLINOIS STATE NORMAL SCHOOL:

30	For Salaries and Wages:	
31	President, Faculty (36 weeks per annum), clerical and operating	
32	force	\$230,732
33	Summer Session (12 weeks per annum)	40,620
34	For Office Expenses.....	3,300
35	For Travel.....	6,000
36	For Operation.....	36,000
37	For Repairs and Equipment.....	47,150
38	Total for the Western Illinois State Normal School \$363,802.]	

39 FOR THE NORTHERN ILLINOIS STATE NORMAL SCHOOL:

40	For Salaries and Wages:	
41	President, Faculty (36 weeks per annum), clerical and operating	
42	force	\$272,986
43	Summer Session (12 weeks per annum)	33,400

44	For Office Expenses.....	3,000
45	For Travel.....	1,800
46	For Operation.....	54,000
47	For Repairs and Equipment.....	28,550
48	Total for the Northern Illinois State Normal School \$393,736.]	

49 FOR THE SOUTHERN ILLINOIS STATE NORMAL UNIVERSITY:

50	For Salaries and Wages:	
51	President, Faculty (36 weeks per annum), clerical and operating	
52	force	\$271,076
53	Summer Session (12 weeks per annum)	39,380
54	For Office Expenses.....	3,200
55	For Travel.....	2,000
56	For Operation.....	37,000
57	For Repairs and Equipment.....	41,750
58	Total for the Southern Illinois State Normal University \$394,406.]	

Sec. 2. There is appropriated to the Department of Public Works and
 2 Buildings for Permanent Improvements at the several State normal schools the
 3 sum of one hundred and seventy-three thousand, one hundred dollars (\$173,100)
 4 in the following items for the objects and purposes therein specified.

5 FOR THE ILLINOIS STATE NORMAL UNIVERSITY:

6	For paving on Main and Mulberry streets	\$ 13,100
7	For fire escapes.....	5,000

8 FOR THE EASTERN ILLINOIS STATE NORMAL SCHOOL:

9	For addition to Training School Building.....	\$ 18,000
10	For Power Plant.....	130,000
11	For Auditorium fire exit facilities.....	500

12 FOR THE WESTERN ILLINOIS STATE NORMAL SCHOOL:

13 For extension of water mains..... \$ 2,500
 14 For Auditorium fire exit facilities..... 500

15 FOR THE NORTHERN ILLINOIS STATE NORMAL SCHOOL:

16 For fire exit facilities in dormitory..... \$ 500

17 FOR THE SOUTHERN ILLINOIS STATE NORMAL UNIVERSITY:

18 For one fire escape for remodeled main building..... \$ 2,000

Sec. 3. Before any contracts are awarded or indebtedness incurred on
 2 account of appropriations for Permanent Improvements provided for in Section
 3 2 all plans and specifications covering said improvements and all subsequent
 4 modifications thereof must have the written approval of the Director of the De-
 5 partment of Registration and Education.

Sec. 4. There is appropriated from the Normal Schools Revolving Fund to
 2 the Department of Registration and Education for the several State normal
 3 schools, the sum of seven hundred and sixty thousand dollars (\$760,000) for
 4 contingencies until the expiration of the first fiscal quarter after adjournment of
 5 the next regular session of the General Assembly. But the disbursements for
 6 any State normal school shall not exceed the amount collected and turned into
 7 the fund by that particular normal school.

Sec. 5. Disbursements for salaries and wages from appropriations herein
 2 made in Sections 1 and 4 shall be subject to the following restrictions: The
 3 Normal School Board shall annually on or before July 1st submit a schedule of
 4 positions showing the titles, monthly salary rates and number of months to be
 5 employed (which rates and titles in the several normal schools shall be uniform
 6 for like service so far as possible) and may from time to time submit amend-
 7 ments to the schedule. Upon the approval in writing of said schedule and
 8 amendments thereto by the Director of the Department of Registration and Edu-

9 cation and the Director of the Department of Finance said schedule shall be
10 effective and pay rolls shall be issued in accordance therewith.

Sec. 6. The appropriations herein made are subject to the provisions of
2 "An Act in relation to State finance," approved June 10, 1919, in force July 1,
3 1919.



1 Offered by Committee on Appropriations, May 24, 1921.

2 Ordered printed.

AMENDMENT TO PRINTED HOUSE BILL 672 IN SENATE.

AMENDMENT NO. 1.

Amend printed House Bill No. 672 in Senate, on pages 1, 2 and 3, by striking out all of Section 1, after the enacting clause, and inserting in lieu thereof the following:

“There is appropriated to the Department of Registration and Education for the support, operation, maintenance and expenses of the State Normal Schools, until the expiration of the first fiscal quarter after the adjournment of the next regular session of the General Assembly, the sum of two million, two hundred ninety-two thousand eight hundred fifty-one Dollars (\$2,292,851) in the following items for the objects and purposes specified therein:

FOR THE ILLINOIS STATE NORMAL UNIVERSITY:

For Salaries and Wages:

President	\$ 13,000
Faculty (36 weeks per annum), clerical and operating force.....	410,610
Summer Session (12 weeks per annum)	83,686
For Office Expenses.....	3,200
For Travel	7,000
For Operation	48,000
For Repairs and Equipment.....	35,600
Total for the Illinois State Normal University	\$601,096

20 FOR THE EASTERN ILLINOIS STATE NORMAL SCHOOL:

21 For Salaries and Wages:

22	President	\$ 13,000
23	Faculty (36 weeks per annum), clerical and operating force.....	282,914
24	Summer Session (12 weeks per annum)	40,152
25	For Office Expenses.....	3,000
26	For Travel	1,800
27	For Operation	36,000
28	For Repairs and Equipment.....	32,300
29	Total for the Eastern Illinois State Normal School.....	\$409,166

30 FOR THE WESTERN ILLINOIS STATE NORMAL SCHOOL:

31 For Salaries and Wages:

32	President	\$ 13,000
33	Faculty (36 weeks per annum), clerical and operating force.....	251,229
34	Summer Session (12 weeks per annum)	46,870
35	For Office Expenses.....	3,300
36	For Travel	6,000
37	For Operation	36,000
38	For Repairs and Equipment.....	47,150
39	Total for the Western Illinois State Normal School.....	\$403,549

40 FOR THE NORTHERN ILLINOIS STATE NORMAL SCHOOL:

41 For Salaries and Wages:

42	For President	\$ 13,000
43	Faculty (36 weeks per annum), clerical and operating force.....	299,984
44	Summer Session (12 weeks per annum)	38,538
45	For Office Expenses.....	3,000
46	For Travel	1,800
47	For Operation	54,000
48	For Repairs and Equipment.....	28,550
49	Total for the Northern Illinois State Normal School.....	\$438,872

50	FOR THE SOUTHERN ILLINOIS STATE NORMAL UNIVERSITY:	
51	For Salaries and Wages:	
52	President	\$ 13,000
53	Faculty (36 weeks per annum), clerical and operating force.....	297,780
54	Summer Session (12 weeks per annum)	45,438
55	For Office Expenses.....	3,200
56	For Travel	2,000
57	For Operation	37,000
58	For Repairs and Equipment.....	41,750
59	Total for the Southern Illinois State Normal University.....	\$440,168''

AMENDMENT NO. 2.

Amend printed House Bill No. 672 in Senate, on page 3, by striking out
2 all of Section 2 and inserting in lieu thereof the following:

3 "Sec. 2. There is appropriated to the Department of Public Works and
4 Buildings for Permanent Improvements at the several State normal schools
5 the sum of three hundred and three thousand dollars (\$303,000) in the follow-
6 ing items, for the objects and purposes therein specified:

7 FOR THE ILLINOIS STATE NORMAL UNIVERSITY:

8	For paving on Main and Mulberry Streets	\$ 13,100
9	For fire escapes	5,000

10 FOR THE EASTERN ILLINOIS STATE NORMAL SCHOOL:

11	For addition to Training School Building	18,000
12	For Power Plant	130,000
13	For Auditorium fire exit facilities.....	500

14 FOR THE WESTERN ILLINOIS STATE NORMAL SCHOOL:

15	For extension of water mains.....	3,500
16	For Auditorium fire exit facilities.....	500
17	For Power Plant.....	130,000

18	FOR THE NORTHERN ILLINOIS STATE NORMAL SCHOOL:	
19	For fire exit facilities in dormitory.....	500
20	FOR THE SOUTHERN ILLINOIS STATE NORMAL UNIVERSITY:	
21	For one fire escape for remodeled main building	2,000''

1 Offered by Mr. Buck, May 31, 1921.

2 Ordered printed.

AMENDMENT NO. 3.

Amend printed House Bill No. 672, in Senate, by inserting at the end of

2 Section 2 a new section to be known as Section 2a, which shall read as follows:

3 “Sec. 2a. If the name of any of the above normal schools is changed by
4 the enactment into law of bills now pending, the appropriations herein made
5 for such school shall not fail but shall be considered the same as if such school
6 were designated herein by its new name.”



- 1 Introduced by Mr. McCabe, April 21, 1921.
- 2 Read by title, ordered printed and referred to Committee on License and
Miscellany.

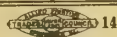
A BILL

For an Act in relation to motion picture theaters.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* No person operating a theater where
3 motion pictures are shown to the general public shall permit persons to sit or
4 stand nearer to the screen on which the motion pictures are shown than
5 thirty feet.

Sec. 2. No person operating a theater where motion pictures are shown
2 to the general public shall sell a ticket of admission to such theater unless at
3 the time of sale there is vacant seat in such theater in which the purchaser of
4 the ticket may sit.

Sec. 3. Any person who violates the provisions of either Section 1 or Sec-
2 tion 2 of this Act is guilty of a misdemeanor and shall be fined not less than
3 twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00) for
4 each offense.



- 1 Introduced by Mr. Weinshenker April 21, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Section 104 of "An Act in regard to the administration of estates," approved April 1, 1872, in force July 1, 1872, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 104 of "An Act in regard to the
3 administration of estates," approved April 1, 1872, in force July 1, 1872, as
4 amended, is amended to read as follows:

Sec. 104. The notice required in the preceding section may be given at
2 any time after the commencement of the suit, and shall be published at least
3 once in each week for four successive weeks, and no default or proceeding
4 shall be taken against any defendant not served with summons, and not ap-
5 pearing, unless the first publication shall have been made at least thirty days
6 preceding the first day of the term at which such default or proceeding is pro-
7 ceeding is proposed to be taken.



- 1 Introduced by Mr. Weinshenker April 21, 1921.
- 2 Read by title, ordered printed and referred to Committee on License and
Miscellany.

A BILL

For an Act to amend Section 18 and to add Section 18½ to “An Act to revise the law in relation to the practice of the art of treating human ailments,” approved June 25, 1917, in force July 1, 1917.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 18 of “An Act to revise the law
3 in relation to the practice of the art of treating human ailments,” approved
4 June 25, 1917, in force July 1, 1917, is amended, and Section 18½ is added there-
5 to, the amended and additional sections to read as follows:

Sec. 18. The Department of Registration and Education may revoke the
2 license of any person holding a license issued in pursuance of and under any
3 law of this State to practice medicine and surgery in all their branches, or to
4 practice any other system or method of treating human ailments without the
5 use of drugs or medicine and without operative surgery, or to practice mid-
6 wifery, in any of the following cases;

1. A person who has been convicted of the practice of criminal abortion;

2. A person who has by false or fraudulent representation obtained or sought to obtain practise in his profession;

3. A person who is an habitual drunkard, or habitually addicted to the use of morphine, opium, cocaine or other drugs having a similar effect;

4. A person who has by false or fraudulent representation of his profession obtained or sought to obtain money or any other thing of value.

5. A person who has advertised under a name other than his own;

6. A person who shall advertise or profess publicly to treat human ailments under a system of school of treatment or practice other than that for which he holds a license;

7. A person who has been committed, by the judgment of a court of competent jurisdiction, to a hospital for the insane;

8. A person who is guilty of any wilful violation of the rules and regulations of the Department of Registration and Education governing examinations, or who is guilty of any fraud or deceit by which he was admitted to practice;

9. *A person who has twice been convicted of violating Section 18½ of this Act.*

10. A person who has been guilty of any other unprofessional or dishonorable conduct.

Paragraph 6 of this section shall not be construed to affect any person licensed by the State Board of Health, on or before July 1, 1917, to treat human ailments without the use of drugs or medicines internally or externally and without the use of operative surgery, who is legitimately engaged in the practice of his profession, unless he shall treat, or profess to treat human ailments with the use of drugs or medicines, internally or externally or with operative surgery.

For any of the above reasons the Department of Registration and Education may refuse to issue a license.

37 No license or certificate shall be revoked or refused until the holder there-
38 of shall have been given a hearing before the Department of Registration and
39 Education.

Sec. 18½. *It shall be unlawful for any person practicing medicine, sur-
2 gery, midwifery, or any other system or method of treating human ailments,
3 to divide fees with, or to promise to pay a part of his fee to, or to pay a com-
4 mission of other compensation to any person who calls him in consultation, or
5 who send or directs patients to him for treatment or operation. Any person
6 who pays or receives any compensation, directly or indirectly, in violation of
7 this Act shall be punished by a fine of not less than five hundred dollars
8 (\$500) for the first offense; and by such fine, and imprisonment in the county
9 jail for not less than six months, for the second offense.*



- 1 Introduced by Mr. Roderick, April 21, 1921.
- 2 Read by title, ordered printed and referred to Committee on Education.

A BILL

For an Act to amend Section 258 of "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 258 of "An Act to establish and
3 maintain a system of free schools," approved and in force June 12, 1909, as
4 amended, is amended to read as follows:

Sec. 258. The real estate of county superintendents, of township treasurers,
2 and of all other school officers *entrusted with the care, control, management or*
3 *disposition of any school, college, seminary, or township fund for the use of any*
4 *county, township, district or school, and the real estate of the sureties* of each of
5 them, shall be bound for the satisfaction and payment of all claims and demands
6 against such superintendents, treasurers, and school officers, *arising from the*
7 *conversion, unlawful use or waste of such funds,* from the date of issuing process
8 against *such officers,* in actions or suits brought to recover such claims or de-
9 mands, until satisfaction thereof be obtained; and no sale or alienation of real

10 estate, by such superintendent, treasurer, or other officer or *surety*, shall defeat
11 the lien created by this section, but all and singular such real estate held, owned
12 or claimed, shall be liable to be sold in satisfaction of any judgment which may
13 be obtained in such actions or suits.



1 Introduced by Mr. Roderick April 21, 1921.

2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act in relation to trusts in real property and in real and personal property.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That for the purposes of this Act the
3 term "land association" shall be construed and held to refer to each and every
4 voluntary trust in real property or in real and personal property, whether
5 created by deed, declaration or devise, which, either by the instrument of
6 writing creating or declaring such trust or by an agreement thereto attached
7 or therein referred to (whether directly or by implication) shall provide:

8 (a) That any right, title or interest in and to the real property of such
9 trust or in and to the proceeds, rents, issues, profits or avails of such real prop-
10 erty shall be represented or evidenced by transferable certificates of shares of
11 stock or of interest or shall belong to or be or become payable to the holder of
12 such certificates, or

13 (b) That the interest of any person in either the real property of such
14 trust or in any proceeds, rents, issues, profits or avails of such real property
15 shall be or become personal property, or

16 (c) That the holders of any part or all of such certificates shall have the
 17 power, whether directly or through appointees, to curtail or extend the life of
 18 such trust or to control or direct the acts of the trustee or to in anywise
 19 change the powers or the duties of the trustee;

20 And said term "land association" shall, furthermore, be construed and
 21 held to include the usual and ordinary meanings given to that term and to the
 22 terms "Pennsylvania land trust" and "Philadelphia land trust;" *Provided,*
 23 *however,* that said term "land association" shall not be construed or held to
 24 refer to associations or societies organized not for profit, to corporations
 25 authorized by the laws of this State, or to any trust created by a trust deed in
 26 the nature of a mortgage.

Sec. 2. After this Act takes effect no person shall create or form a land
 2 association or extend the life of any land association or add real property by
 3 purchase or by gift to the trust estate of or held for any land association.

Sec. 3. On or before the first day of March in each year after this Act
 2 takes effect the trustee of each land association shall file for record in the
 3 recorder's office of each county wherein there shall be situated real property
 4 held in trust by or for such land association a statement showing, as of the first
 5 day of January last preceding:

6 (a) The date of the creation of such land association;

7 (b) The name of such land association or the other means of identification
 8 by which it is known;

9 (c) The legal description of the real property in such county owned, in
 10 whole or in part, by such land association or by the trustee thereof;

11 (d) the name and address of each trustee thereof; and

12 (e) The name and address of each registered or known holder of a certi-
 13 ficate or shares of stock or of interest in such land association and the extent
 14 of the interest held by each person; and in all cases where such certificate shall
 15 be held by a trustee the statement shall show the nature of the trust upon

16 which such certificate is held and the names and addresses of the beneficiaries
17 under such trust in so far as the same are known or upon reasonable inquiry
18 could be known by the trustee of such land association.

19 Such statement shall be signed by the trustee of the land association, or
20 if there shall be more than one trustee thereof such statement may be signed
21 by one of such trustees; and such statement shall be sworn to by the signer
22 thereof as true to the best of his knowledge and belief.

Sec. 4. The trustee of each land association, before granting any interest
2 in any real property of or held in trust for such land association, shall file in
3 the recorder's office of the county wherein such real property is situated the
4 original or a copy (certified as correct by such trustee) of every agreement,
5 modification of an agreement, rule or by-law of such land association that re-
6 lates to the purposes, objects or life of such land association or to the powers
7 of such trustee with respect to such real property.

Sec. 5. The trustee of each land association, on or before the first day of
2 March, 1922, shall file in the office of the recorder of deeds in each county
3 wherein real property of or held in trust for such land association is situated,
4 the original or a copy (certified to as correct by such trustee) of every agree-
5 ment, modification of an agreement, rule or by-law of such land association
6 that relates to the purposes, objects or life of such land association or to the
7 powers of such trustee with respect to such real property which was entered
8 into or adopted prior to January 1, 1922.

Sec. 6. The trustee of each land association shall, on or before the first
2 day of March in each year after this Act takes effect, file with the Secretary
3 of State each and all papers or copies thereof (certified as correct by such trus-
4 tee) which, under the provisions of Sections 3, 4, and 5, such trustee is required
5 to file in any one of the recorder's offices of this State.

Sec. 7. In case the trustee of any land association shall, while delinquent
 2 as to compliance with the provisions of Sections 3, 4, or 5, agree, undertake or
 3 attempt to make a grant of any interest in real property of or held in trust for
 4 such land association, then in each such instance such trustee and each holder
 5 of a certificate of shares of stock or of interest in such association, shall be per-
 6 sonally liable, jointly and severally, for any and every damage that shall be
 7 sustained or suffered by reason of any lack of power in such trustee to make
 8 such grant.

Sec. 8. If the trustee of any land association shall fail to comply regu-
 2 larly and promptly with the provisions of Section 6, a suit in chancery,
 3 brought in the name of the People of the State of Illinois and praying that
 4 such trustee may be removed and that the trust of such trustee may be dis-
 5 solved, may be filed in the circuit court of Sangamon County by the Attorney
 6 General or in the circuit court of any county wherein any real property of or
 7 held in trust for such land association shall be situated by the State's Attor-
 8 ney of such county or by any special attorney thereto appointed, upon appli-
 9 cation of any citizen, by any judge of the circuit court of such county; and
 10 authority to make such appointment is hereby granted to the judges of such
 11 circuit court.

12 If, upon a hearing, the court shall find that the trustee of such land asso-
 13 ciation has not complied promptly and regularly with the provisions of Sec-
 14 tion 6, the court shall by decree remove such trustee and vest the legal title
 15 to all of the trust estate, subject to the costs of such proceedings including
 16 attorney's stenographic and all other expenses and fees connected therewith,
 17 in the *cestuiques que trust*.



1 Introduced by Mr. O'Grady, April 21, 1921.

2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Section 2 of "An Act regarding the leasing of dwelling houses, flats and apartments, and defining certain offenses in connection therewith and providing a penalty for the violation thereof," filed June 16, 1909, in force July 1, 1909.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 2 of "An Act regarding the leas-
3 ing of dwelling houses, flats and apartments, and defining certain offenses in con-
4 nection therewith and providing a penalty for the violation thereof," filed June
5 16, 1909, in force July 1, 1909, is amended to read as follows:

Sec. 2. Any person, company, corporation or association violating any of
2 the provisions of Section 1 of this law shall be deemed guilty of a misdemeanor
3 and upon conviction shall be *sentenced to imprisonment for not exceeding one*
4 *year, and* adjudged to pay a fine of not less than *two hundred dollars (\$200)* nor
5 more than *five hundred dollars (\$500)* for each and every offense.



1 Adopted May 17, 1921.

AMENDMENT NO. 1.

Amend Section 2, line 3, of House Bill 678 by inserting after the word
2 “for” the words, “a term”.

AMENDMENT NO. 2.

Amend Section 2, line 4 of House Bill 678 by striking out the words “two
2 hundred” and inserting in lieu thereof the word “fifty”, also strike out in par-
3 entthesis the figures (\$200) and insert in lieu thereof in parenthesis the figures
4 (\$50).

AMENDMENT NO. 3.

Amend Section 2, line 4, of House Bill 678 by striking out the words “five
2 hundred” and inserting in lieu thereof the words “two hundred”, also strike
3 out in parenthesis the figures (\$500) and insert in lieu thereof the figures in
4 parenthesis (\$200).



- 1 Introduced by Mr. Searcy, April 21, 1921.
- 2 Read by title, ordered printed, and referred to Committee on Public Utility and
Transportation.

A BILL

For an Act requiring corporations, firms or individuals operating public warehouses in which are stored household furniture, automobiles, and personal chattels, to give bond for the payment of damages to, or loss of, household furniture, automobiles, and personal chattels.

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* Every person who operated a public
3 warehouse in which is stored household furniture, automobiles, and personal
4 chattels, shall file with the public utilities commission a bond conditioned for the
5 payment of any damage to, or loss of, household furniture, automobiles, and
6 personal chattels, stored with the warehouse man for which damage or loss the
7 warehouse man is legally liable. The bond shall be for such amount as the com-
8 mission may determine to be reasonable but in no case for less than twenty-five
9 thousand dollars (\$25,000.00). The bond shall be subject to the approval of the
10 public utilities commission.

Sec. 2. After July 1, 1921, any person who operates a public warehouse in
2 which is stored household furniture, automobiles, and personal chattels, who
3 fails, refuses or neglects to file the bond required in Section 1 of this Act and any
4 person who accepts household furniture, automobiles, and personal chattels for
5 storage in a public warehouse without having filed a bond approved by the
6 public utilities commission, as provided in Section 1 of this Act, is guilty of a mis-
7 demeanor and shall be fined not less than one hundred dollars (\$100.00) nor more
8 than five hundred dollars (\$500.00) for each offense.

- 1 Introduced by Mr. Lindstrum, April 21, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Sections 8, 9, 17 and 36 of the "Motor Vehicle Law," approved June 30, 1919, in force January 1, 1920, and to add Section 35a thereto.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Sections 8, 9, 17 and 36 of the "Motor
3 Vehicle Law," approved June 30, 1919, in force January 1, 1920, are amended
4 and Section 35a is added thereto, the amended and added sections to read as
5 follows:

Sec. 8. Every owner of a vehicle of the First Division, as described in Sec-
2 tion 2 of this Act, which shall be driven in this State, shall, except as otherwise
3 provided in this Act, within ten days after he becomes the owner of such motor
4 vehicle or motor bicycle, file in the office of the Secretary of State an application
5 for a certificate of registration properly sworn to, setting forth his name and
6 address, with a brief description of the vehicle, or bicycle, to be registered, in-
7 cluding the name of the maker, factory, and engine numbers, style of vehicle or

bicycle and the motor power and (except in the case of electrically propelled vehicles) the amount of such motor power stated in figures of horse power, in accordance with such standard rating as may be prescribed by the Secretary of State, on a blank to be prepared and furnished by such Secretary of State for that purpose and shall pay to said Secretary of State, for each calendar year from and after January 1, 1920, a registration fee for motor bicycles and motor vehicles of said First Division, so registered, at the following rates: For each motor bicycle, the sum of \$8.00 per annum; for each motor vehicle of 25 horsepower, and less, the sum of \$16.00 per annum; for each motor vehicle of 35 horsepower and more than 25 horsepower, the sum of \$24.00 per annum; for each motor vehicle of 50 horsepower and more than 35 horsepower, the sum of \$40.00 per annum; for each motor vehicle of more than 50 horsepower, the sum of \$50.00 per annum; for each and every electrically propelled motor vehicle, the sum of \$24.00 per annum: *Provided*, the first registration fee for each motor vehicle or motor bicycle shall be reduced 50 per cent if payable during the second half of the calendar year, and that no certificate for re-registration shall issue for a less sum than the fee required for a calendar year. Said registration shall be made on the date the application is received and filed by the Secretary of State and expire with the last day of the calendar year in which such registration is made. Upon the filing in the office of the Secretary of State of said application and the payment of the registration fee, as hereinbefore provided, the Secretary of State or his duly authorized agent, shall, without further fee, assign to such motor vehicle, or motor bicycle, as described in such application, a distinctive number and shall issue to the owner of such motor vehicle or motor bicycle, as it is described in the application filed, a certificate of registration, which certificate shall be in the form of a card, which may be carried in the pocket, and which certificate shall contain the descriptive number so assigned to such motor vehicle or motor bicycle, the name and address of the owner, a brief description of such motor vehicle or motor bicycle, stating the name of the manufacturer, the kind of motor power, and the amount of such motor power stated in figures of horse-

38 power or the capacity of such motor vehicle or motor bicycle if electrically pro-
39 pelled. Upon filing in the office of the Secretary of State an affidavit to the
40 effect that the original front or rear motor vehicle number plate or original motor
41 bicycle number plate is lost, stolen or destroyed, a duplicate certificate of registra-
42 tion or duplicate motor bicycle number plate will be furnished at 50 cents each
43 and a duplicate front and rear motor vehicle number plate will be furnished at
44 \$1.00 each. The Secretary of State shall keep separate alphabetical lists of all
45 owners of motor vehicles of the First Division and all owners of motor vehicles
46 of the Second Division, with the address of each, the registration number, the
47 date of filing of the application and the description of the motor vehicle or motor
48 bicycle; and shall not thereafter assign a number once assigned to a motor
49 vehicle or a motor bicycle owned by any other person, if the owner of the motor
50 vehicle or motor bicycle to whom such number was first assigned shall, not less
51 than twenty (20) days prior to the day of expiration of said registration, file an
52 application accompanied by the fees herein specified for the registration or re-
53 registration of a motor vehicle or motor bicycle and request the assignment of
54 said number to a motor vehicle or motor bicycle owned by him. The Secretary of
55 State shall, at the end of each calendar month, print and mail to the clerks and
56 the sheriffs of all the counties and to the chief of police of cities and towns of five
57 thousand population and over, in this State, copies of lists of registration made
58 in accordance herewith showing the number of motor vehicles and the motor
59 bicycles and the names and addresses of the owners thereof.

60 The Secretary of State shall, upon payment of a fee of \$50.00 enter the name
61 of the person, firm or corporation sending the same, upon a list to receive copies
62 of the lists of registration provided for in this section.

Sec. 9. All vehicles of the Second Division as described in Section 2 of this
2 Act, which are designed or equipped or used for carrying freight, and all vehicles
3 of said First Division which have been remodeled and are being used for carry-
4 ing freight, and all vehicles of said Second Division which are used for carrying

5 more than seven persons shall pay to the Secretary of State for each calendar
6 year from and after January 1, 1920, license fees for the use of the public high-
7 ways of this State at the following rates, to-wit:

8 (a) Vehicles having a gross weight of five thousand (5,000) pounds and less,
9 including the weight of the vehicle and maximum load, \$24.00.

10 (b) Vehicles having a gross weight of more than five thousand (5,000)
11 pounds and not more than twelve thousand (12,000) pounds, including the weight
12 of the vehicle and maximum load, \$43.00.

13 (c) Vehicles having a gross weight of more than twelve thousand (12,000)
14 pounds and not more than fifteen thousand (15,000) pounds, including the weight
15 of the vehicle and maximum load, \$70.00.

16 (d) Vehicles having a gross weight of more than fifteen thousand (15,000)
17 pounds including the weight of the vehicle and maximum load, \$120.00.

18 (e) Tractors, traction engines, or other similar vehicles used for hauling
19 purposes, except as hereinafter provided, shall pay a license fee of \$50.00 per
20 annum; *provided*, that none of the vehicles of said Second Division shall be re-
21 quired to pay the registration fees in Section 8 of this Act.

Sec. 17. Every person, firm, association or corporation, manufacturing or
2 dealing in motor vehicles may, instead of registering each motor vehicle so
3 manufactured or dealt in, make a verified application upon a blank to be furnished
4 by the Secretary of State for a general distinctive number for all the motor
5 vehicles owned or controlled by such manufacturer or dealer, such application to
6 contain: (a) The trade name or names of the make of the motor vehicle or
7 vehicles manufactured or dealt in by such manufacturer or dealer, including the
8 character of the motor power, the amount of such motor power (except in case of
9 electrically propelled motor vehicles) stated in figures of horsepower, and (b)
10 the name and business address of such manufacturer, or dealer. Every appli-
11 cant when making such application shall pay to the Secretary of State a registra-
12 tion fee at the following rates: For each calendar year from and after January

1, 1920, the sum of \$24.00 per annum. Upon the payment of such registration fee such application shall be filed and recorded in the office of the Secretary of State in the manner provided in Section 8 of this Act. There shall thereupon be assigned and issued to such manufacturer or dealer a general distinctive number, and without further expense to him there shall be issued and promptly delivered to such manufacturer or dealer at his business address a certificate of registration in such form as the Secretary of State shall prescribe, and two number plates with a number corresponding with the number of such certificate of registration. The number plates so issued shall be distinctly different from those provided for in Section 14 of this Act, but shall correspond in color and size of numbers and letters with the number plates for motor vehicles provided for in Section 14 thereof. By filing application for the same, such manufacturer or dealer may obtain as many duplicates of such number plates as he may desire upon payment to the Secretary of State for each set of two plates the sum of \$24.00 per annum. In case of loss or destruction of one plate, the manufacturer or dealer may obtain a duplicate of the same by filing affidavit to that effect and upon the payment of the fee of \$12.00. Such number plates shall be conspicuously displayed upon the front and back of every motor vehicle of such manufacturer or dealer when the same is operated or driven on the public highways. Such registration shall be renewed annually in the same manner and on the payment of the same fee as provided in this section for original registration, such renewal to take effect on the first day of January of each year. The provisions of Section 8 relating to first registrations made in compliance therewith and durations of renewals shall apply to registration under this section. Upon the sale of a motor vehicle by a manufacturer or dealer, the purchaser shall be permitted to operate the same upon the public highways of this State for a period of ten days after taking possession thereof, without carrying license plates, as provided in Section 14 of this Act, if the purchaser shall have in his possession a bill of sale, as hereinafter provided, and if proper application for the registration of such motor

42 vehicle shall have been mailed or presented to the Secretary of State, together
43 with the required fee, within twenty-four hours after he has taken possession
44 thereof.

45 Upon the sale of a motor vehicle by a manufacturer or dealer, he shall there-
46 upon give to the purchaser a bill of sale setting forth the name and address of the
47 purchaser, the date of purchase, together with a description of such motor
48 vehicle, showing name of manufacturer, style, factory and engine numbers, and
49 amount of horsepower.

50 The names of the licensed manufacturers and dealers shall be furnished the
51 county clerks, sheriff and the chiefs of police in the same manner as provided for
52 in Section 8, in respect to owners.

Sec. 35a. *One-half of all the fees collected by the Secretary of State under
2 the provisions of Sections 8, 9 and 17 of this Act, shall be paid over to the county
3 treasurers of this State to be used in the counties for building, improving and re-
4 pairing roads and bridges. The amount paid to each county treasurer shall be
5 one-half the sum received in fees from residents of the county in which the
6 county treasurer holds office.*

Sec. 36. All moneys received by the Secretary of State as registration fees
2 and *not paid over to county treasurers, and all moneys received* for the examina-
3 tion and licensing of chauffeurs, as provided in this Act, shall be deposited in the
4 State treasury and set apart as a special fund to be known as the Road Fund.
5 The Road Fund shall, if and when the State of Illinois shall incur any bonded
6 indebtedness for the construction of permanent highways, be set aside and used
7 for the purpose of paying and discharging annually the principal and interest on
8 such bonded indebtedness then due and payable, and for no other purpose, and
9 the surplus, if any, after the payment of the principal and interest on such
10 bonded indebtedness then annually due, shall be used for the improvement of the
11 highways of the State in accordance with the provisions of Article IV of an Act
12 entitled, "An Act to revise the law in relation to roads and bridges," approved

13 June 27, 1913, in force July 1, 1913, or in accordance with the provisions of the
14 Federal Aid Road Act, or both of such Acts, and all Acts amendatory thereof,
15 *or any other Acts relating to the construction of hard roads.*



- 1 Introduced by Mr. Flagg April 21, 1921.
- 2 Read by title, ordered printed and referred to Committee on Elections.

A BILL

For "An Act to revise the law with relation to the nomination, by political parties of judges of the Superior Court of Cook County and all circuit judges" and to repeal all Act in conflict therewith.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Candidates of any political party as defined in Section 2, of "An Act to provide for the holding of primary elections by political parties." approved March 9, 1910, in force July 1, 1910, for the office of judge of the Circuit Court in any county of the State of Illinois and for the office of judge of the Superior Court of Cook County, shall be nominated at a convention of delegates of such party.

If any judge, or judges, are to be elected in any circuit or territory comprised of only one county, the delegates to such convention shall consist of the members of such party's county convention as created by Section 10 of said Act, as amended. In the convention held to nominate a judge, or judges, in any circuit or territory comprised of only one county, each of the delegates to such convention shall have one vote, and one additional vote for each 50 votes

14 or major fraction thereof of his party cast in his precinct or political subdiv-
 15 ision for Governor at the last general election.

Section 2. If any judges of the Circuit Court are to be elected in any
 2 circuit comprising more than one county, such convention shall be composed
 3 of delegates from the several counties comprising the circuit. Each county
 4 shall be entitled to one delegate for every 400 voters or major fraction thereof
 5 cast in such county for the candidate for Governor of the political party hold-
 6 ing the convention, at the last preceding election for Governor; and such dele-
 7 gates from each county shall be selected by the county committee of that
 8 county.

9 Such convention shall be convened at the county seat of the county, when
 10 such circuit is included in one county. If such circuit includes more than one
 11 county, it shall meet at the county seat of the county having the largest popu-
 12 lation but a majority of the delegates constituting such convention may desig-
 13 nate the place within such circuit that such convention shall be held.

Section 3. At least 75 days prior to the time such judges are to be elected,
 2 the chairman of the county central committee respectively of each political
 3 party (or in case a circuit comprises more than one county, then the chairman
 4 of the county central committees of such counties within said circuit, or a ma-
 5 jority thereof) shall file in the office of the Secretary of State a call for the con-
 6 ventions of their respective parties for nominating such judicial candidates to
 7 be voted for at such election. Said call shall state, among other things, the
 8 time and place (designating the building and hall) for holding such conven-
 9 tion. The time designated for holding such convention shall not be more than
 10 60 days nor less than 31 days before said election.

Sec. 4. All such nominations made by such conventions shall be duly cer-
 2 tified to the Secretary of State by the presiding officer thereof, and when cer-
 3 tified shall be placed upon the official ballot to be voted for at said election.

4 Not less than fifteen days before said election the Secretary of State shall cer-
5 tify to the county clerk of each county within which the electors may by law
6 vote for such candidates as may be nominated hereunder, the name of the
7 persons nominated for such office as shown by the certificate of such presid-
8 ing officer on file in his office.

Sec. 5. An Act to provide for the nomination of candidates by political
2 parties of judges of the Superior Court of Cook County, and all Circuit
3 Judges, approved June 25, 1917; in force July, 1917 and all amendments there-
4 to ,are hereby repealed.



- 1 Introduced by Mr. G. J. Johnson, (By Request) April 21, 1921.
- 2 Read by title, ordered printed and referred to Committee on Education.

A BILL

For an Act to provide scholarships for students attending the State supported institutions for the training of teachers.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That the State of Illinois hereby agrees
3 within the limits of the annual appropriations provided in accordance with this
3 Act to cooperate with the school districts in the State in providing two-year
4 scholarships for students in the State supported institutions for the training
5 of teachers.

Sec. 2. Said scholarships¹ shall be for \$300 per year payable one-half
2 from the District Treasury in September, the other half from the State appro-
3 priation in January in each of the two years for which the scholarship shall
4 run.

Said scholarships shall be awarded between May 1 and August 15. The
2 school board awarding the scholarship shall without delay notify the Superin-
3 tendent of Public Instruction of its act, who shall register the scholarships in

4 the order that the notifications are received. Within ten days after August 15
 5 the Superintendent of Public Instruction shall approve the scholarships
 6 awarded according to law in order of their registration except that no county
 7 may be deprived of its minimum quota, one scholarship for each fifty teachers
 8 or major fraction of this number. No more than 1000 scholarships may be ap-
 9 proved in any year. Scholarships reported beyond this limit shall not receive
 10 State aid.

Sec. 4. Said scholarships may be awarded by school boards to residents
 2 of the school district, who are graduates of recognized four-year high schools,
 3 who are good moral character and who meet the scholastic and physical stan-
 4 dards prescribed by the Superintendent of Public Instruction. Any district
 5 may issue at least one scholarship in each biennium. If two or more scholar-
 6 ships are issued in any district the whole amount paid for scholarships in any
 7 year shall not exceed five per cent of the annual expenditure for teachers' sal-
 8 aries in the district.

Sec. 5. The person receiving the scholarship shall sign a pledge to attend
 2 a State school for the training of teachers in Illinois for two school years and
 3 continue his studies until graduation and after his graduation to teach two
 4 years in the district furnishing the aid and two additional years in the public
 5 schools of Illinois, at the salary usually paid where he is employed to teachers
 6 of like qualifications, grade, preparation, and experience.

7 In guaranty of this pledge the person receiving the scholarship shall sign
 8 four promissory notes with security approved by the district school board.
 9 Said notes shall be for one hundred fifty dollars each payable one at the ex-
 10 piration of each year which the maker is pledged to teach, and shall bear inter-
 11 est after maturity at the rate of six per cent per annum. Two of these notes
 12 shall be made payable to the school district issuing the scholarship, two to the
 13 Department of Registration and Education. One of these notes shall be can-
 14 celled without payment of the principal sum at the end of each year taught in
 15 accordance with the pledge. The four years of teaching for which notes are

16 cancelled must be completed within six years after graduation, unless the time
17 is extended by the Superintendent of Public Instruction.

Sec. 6. Boards of Education and Boards of Directors are hereby author-
2 ized to pay out of their fund for operating expenses the amount required for
3 the scholarships issued by them.

Section 7. On or before December 15, the Director of Registration and
2 Education shall report to the Auditor of Public Accounts the names of all stu-
3 dents holding valid approved district scholarships who are attending the sev-
4 eral State teacher-training institutions, and the Auditor is hereby instructed
5 to issue not later than January 15, a warrant of \$150 in favor of each student
6 reported, said warrant to be delivered to the student upon his filing the prom-
7 issory note requested by this Act.

Sec. 8. The school board issuing a scholarship may release the student
2 who received it from his obligation to teach in that district. The obligation
3 to teach four years in the State remains in force. The Superintendent of Pub-
4 lic Instruction shall have power to release any student from his obligation to
5 teach or to pay the promissory notes that he has made, if the school board
6 which issued the scholarship certifies that his physical or mental condition is
7 such as to disqualify him for teaching as required in this Act. The death of a
8 student shall release the sureties upon his promissory notes given in accord-
9 ance with this Act.

Sec. 9. To provide funds for carrying out the provisions of this Act the
2 sum of \$150,000 is hereby appropriated to the Department of Registration
3 and Education for the year 1921-22, \$300,000 for the year 1922-23, or such part
4 of these sums as may be needed.

Sec. 10. The Superintendent of Public Instruction is hereby authorized
2 to make such rules as are necessary to carry out the provisions of this Act.



- 1 Introduced by Mr. Harry Wilson, April 21, 1921.
- 2 Read by title, ordered printed and referred to Committee on Education.

A BILL

For an Act to amend an Act, "An Act concerning child labor and to repeal an Act entitled, 'An Act to regulate the employment of children in the State of Illinois, and to provide for the enforcement thereof,' approved May 15, 1903, in force July 1, 1903," approved June 26, 1917, in force July 1, 1917.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly: "An Act concerning child labor and to*
3 *repeal an Act entitled, 'An Act to regulate the employment of children in the*
4 *State of Illinois, and to provide for the enforcement thereof,' approved May*
5 *15, 1903, in force July 1, 1903," approved June 26, 1917, in force July 1, 1917,*
6 *is amended to read as follows:*

Sec. 1. *On and after September 1, 1921, no minor under the age of fifteen*
2 *years, and on and after September 1, 1922, no minor under the age of sixteen*
3 *years shall be employed, permitted or suffered to work for or in connection with*
4 *any theater, concert hall or place of amusement, or any mercantile institution,*
5 *store, office, hotel, laundry, manufacturing establishment, mill, cannery, factory*
6 *or workshop, or any gainful occupation within this State.*

Sec. 2. It shall be the duty of every person, firm or corporation, agent or manager, superintendent or foreman, of any firm or corporation, employing minors over the age of *fifteen* and under the age of *seventeen* years, *on or after September 1, 1921, and employing minors over the age of sixteen and under the age of eighteen, on or after September 1, 1922*, in or for or in connection with any theater, concert hall or place of amusement, or any mercantile institution, store, office, hotel, laundry, manufacturing establishment, mill, cannery, factory or workshop, *or other gainful occupation* within this State, to keep a register in said theater, concert hall or place of amusement, or in said mercantile institution, store, office, hotel, laundry, manufacturing establishment, mill, cannery, factory, workshop, *or other place of employment* in or for or in connection with which said minors shall be employed, or permitted or suffered to work, in which register shall be recorded the name, age and place of residence of every minor employed or suffered or permitted to work therein, or therefor, or in connection therewith, over the age of *fifteen* and under the age of *seventeen* years, *on or after September 1, 1921, and over the age of sixteen and under the age of eighteen on or after, September 1, 1922*; and it shall be unlawful for any person, firm or corporation, agent or manager, superintendent or foreman of any firm or corporation to hire or employ or to permit or suffer to work in or for or in connection with any theater, concert hall or place of amusement, or any mercantile institution, store, office, hotel, laundry, manufacturing establishment, mill, cannery, factory, workshop *or other gainful occupation* any minor over the age of *fifteen* and under the age of *seventeen* years, *on or after September 1, 1921, and over the age of sixteen and under the age of eighteen years, on or after September 1, 1922*, unless there is first procured and placed on file in such theater, concert hall or place of amusement, or in such mercantile institution, store, office, hotel, laundry, manufacturing establishment, mill, cannery, factory or workshop *or other place of employment*, an employment certificate issued as hereinafter provided and accessible to the authorized officers or employees of the Department of Labor,

30 *and to the truant officers or other school officials charged with the enforcement*
31 *of the compulsory education law.*

Sec. 3. Every person, firm or corporation, agent or manager, superintendent or foreman of a corporation, employing or permitting or suffering to work, minors over the age of *fifteen* and under the age of *seventeen* years, *on or after September 1, 1921, and over the age of sixteen and under the age of eighteen years, on or after September 1, 1922*, in or for or in connection with, any theater, concert hall or place of amusement, or any mercantile institution, store, office, hotel, laundry, manufacturing establishment, mill, cannery, factory, workshop, or other *gainful occupation*, shall post and keep posted in a conspicuous place in every room in or in connection with which such help is employed, or permitted or suffered to work, a list containing the name, age and place of residence of every minor over the age of *fifteen* and under the age of *seventeen* years, *on or after September 1, 1921, and of every minor over the age of sixteen and under the age of eighteen years, on or after September 1, 1922*, employed, permitted or suffered to work in or in connection with such room.

Sec. 4. An employment certificate shall be issued only by the superintendent of schools or by a person authorized by him in writing; or where there is no superintendent of schools, by a person authorized by the school board or other local school authority: *Provided*, that no member of a school board or other person authorized as aforesaid, shall have authority to issue such certificates for any minor then in or about to enter his own employment, or the employment of a firm or corporation of which he is a member, officer or employee. The person issuing these certificates shall have authority to administer the oaths provided for herein, but no fee shall be charged therefor. It shall be the duty of the school board or local school authority, to designate a place or places (connected with their offices when practicable), where certificates shall be issued and recorded, and physical examinations made without fee, as hereinafter provided, and to establish and maintain the necessary records and clerical service for carrying out the provisions of this Act.

Sec. 5. The official authorized to issue an employment certificate to any minor shall issue such certificate only upon the application in person of the minor desiring employment, accompanied by the parent, guardian or custodian of such minor and after having received, examined and approved the following papers, namely:

(a) A school record, as hereinafter provided.

(b) A certificate of physical fitness, as hereinafter provided.

(c) Proof of age, as hereinafter provided.

(d) A statement signed by the prospective employer, or by some one duly authorized on his behalf, stating that he expects to give such minor present employment, and setting forth the character of the same, and the number of hours per day and of days per week, which said minor shall be employed.

For the issuance of an employment certificate, the school record required by this Act shall be filled out and signed by the principal of the school, public or private or parochial, which the minor has last attended, or by some one duly authorized by him, and shall be furnished to any minor who may be entitled thereto. It shall certify that the said minor is able to read and write legibly, simple sentences in the English language, and, if issued between *September 1, 1921, and September 1, 1922*, shall certify that the minor has completed a course of study equivalent to the work prescribed for the first six years, *is issued between September 1, 1922, and September 1, 1923, shall certify that the minor has completed a course of study equivalent to the work prescribed for the first seven years, and if issued on or after September 1, 1923, shall certify that the minor has completed a course of study equivalent to the work prescribed for the first eight years, of the public elementary schools in spelling, reading, writing, arithmetic to and including fractions, geography and history and, if issued between September 1, 1921, and September 1, 1922, shall certify that the minor has attended school for at least 130 days during the year preceding the date of his application or between his fourteenth and fifteenth birthdays, and, if issued on or after September 1, 1922, shall certify that the minor has attended school for at least 130 days*

31 *during the year preceding the date of his application or between his fifteenth and*
 32 *sixteenth birthdays.* Such school record shall also give the full name, date of
 33 birth, and residence of the minor, and the name and residence of the parent,
 34 guardian or custodian, as shown on the records of the school.

35 The school record shall be in the following form:

36 Name of Parent or Guardian or Custodian.....
 37 Residence of Parent or Guardian or Custodian.....
 38 Name of Minor.....
 39 Residence of Minor.....
 40 Date of birth of Minor.....
 41 Signature of Minor.....

42 I hereby certify that the above named minor is able to read and write legibly
 43 simple sentences in the English language; that he has completed the work of the
 44grade in the.....school (location).....;
 45 that he has completed a course of study equivalent to the work prescribed for the
 46 first.....years of the public elementary school in spelling, reading, writing,
 47 arithmetic to and including fractions, geography and history, and that he has
 48 attended school for.....days during the year preceding this date, or
 49 between his.....and.....birthdays.

50
 51 Signature of Principal.

52 The certificate of physical fitness required by this Act for any minor shall be
 53 signed by a physician appointed by the Municipal Health Department, the board
 54 of education, or other local school authority, and shall state that the said minor
 55 has been thoroughly examined by the said physician at the time of his application
 56 for an employment certificate, is physically qualified for the employment specified
 57 in the statement submitted in accordance with the requirement of this section,
 58 *and is of sound health and normal physical development for a child of his age.*

59 The evidence of age required by this Act shall consist of one of the following
 60 proofs of age, which shall be required in the order herein designated:

61 (a) A duly attested transcript of the birth certificate, furnished free by the
62 State, filed according to law with a registrar of vital statistics, or other officer
63 charged with the duty of recording birth; or,

64 (b) A baptismal certificate or transcript of the record of baptism, duly cer-
65 tified, and showing the date of birth, and place of baptism; or,

66 (c) A passport showing the age of the minor; or,

67 (d) In case none of the aforesaid proofs of age shall be obtainable, and
68 only in such case, the issuing officer may accept, in lieu thereof, other document-
69 ary record of age (such as official certificate of arrival in the United States, *bona*
70 *fide* Bible record, confirmation certificate or life insurance policy which is at least
71 one year old at the time of the minor's application for the permit), or transcript
72 thereof, duly certified, which shall appear to the satisfaction of the issuing officer
73 to be good and sufficient evidence of age; or, in case none of the aforesaid proofs
74 of age shall, in the judgment of the officer having power to issue employment
75 certificates be obtainable, such officer may accept in lieu thereof a written state-
76 ment signed by the head teacher or principal of the public or private school
77 which such child has attended, certifying that he or she was in.....
78 grade, and can read, and write legibly simple sentences in English, and further
79 certifying the name, age, place and date of birth of such child as shown by the
80 official records of such school for at least two years during the period such
81 minor was in attendance thereat; or,

82 (e) In case none of the aforesaid proofs of age shall be obtainable, and in
83 such cases only, the issuing officer may accept, in lieu thereof, the signed state-
84 ment of two physicians, at least one of whom shall be a public health officer or
85 public school physical inspector, stating that they have separately examined the
86 minor and that in their opinion the minor is at least *fifteen years of age or if the*
87 *examination is conducted on or after September 1, 1922, sixteen years of age.*

Sec. 6. All employment certificates shall be issued in triplicate, one of which
2 shall be forwarded by mail by the issuing officer to the prospective employer of
3 the minor for whom the employment certificate is issued, and another of which

4 shall be forwarded to the properly authorized officer of the Department of
5 Labor, and a third, *or the facts contained on it*, shall be filed in the issuing office.

6 Whenever an employment certificate shall be refused to a minor, the name
7 and present residence of such minor, and the school record issued to such minor,
8 shall be forwarded by the official refusing to issue the certificate to the principal
9 of the school which such minor should attend, or to the compulsory attendance
10 or truant officer.

11 In any prosecution for a violation of this Act, the employment certificate
12 shall be admissible as *prima facie* evidence of the facts set forth therein.

13 Any explanatory matter may be printed upon such certificate in the discre-
14 tion of the board of education or other local school authority.

15 The employment certificate shall be signed by the officer duly authorized by
16 the Board of Education or other local *school* authority and by the minor and
17 shall be in the following form:

18 The office of.....(City).....(State).....

19 EMPLOYMENT CERTIFICATE.

20 This certifies that I have made a careful examination of all proofs, docu-
21 mentary and otherwise, required by Section 5 of an Act entitled, "An Act con-
22 cerning child labor," approved.....and in force.....
23 for.....(Name of minor), and find the following:

24 (a) That the above named minor can read and write legibly, simple sen-
25 tences in the English language, and has completed the work of the.....
26 grade in the.....school, and that he has attended school at least
27 130 days during the year previous to this date, or between his.....
28 and.....birthdays.

29 (b) That the above named minor is physically fit to do the work specified
30 in the statement submitted in accordance with the requirements of Section 5 of
31 the aforesaid Act; and that his height is (feet and inches).....,
32 weight....., complexion (fair or dark)....., hair
33 (color).....

34 (c) That he or she was born at (city, state or country).....,
 35 on the.....day of....., 19..., as shown by.....

36 (d) That (name of employer).....of (address)
 37has promised to said minor present employment
 38 at (character of the work).....for.....hours per day and.....
 39 days per week.

40 Officer duly authorized by the superintendent of the board of education (or
 41 other local school authority) of.....(city), to issue employment
 42 certificates.

43 This certificate belongs to the board of education (or other local school
 44 authority) and is to be returned to this office within three days after (name of
 45 minor) leaves the service of the employer holding the same.

Sec. 7. It shall be the duty of every person who shall employ, *on or after*
 2 *September 1, 1921*, any minor under the age of 17 years, *or who shall employ, on*
 3 *or after September 1, 1922, any minor under the age of 18 years*, to acknowledge
 4 in writing to the official issuing the same, the receipt of the employment certifi-
 5 cate, within three days after the beginning of such employment. *On or after Sep-*
 6 *tember 1, 1921*, on termination of the employment of a minor under the age of
 7 17 years, *and on or after September 1, 1922, on termination of the employment*
 8 *of a minor under the age of 18 years*, the employment certificate issued to such
 9 minor shall be returned by mail, by the employer to the official issuing the same,
 10 immediately on the demand of the minor for whom the certificate was issued, or
 11 otherwise, within three days after the termination of said employment. The offi-
 12 cial to whom the certificate is so returned shall file said certificate, and notify the
 13 compulsory attendance or truant officer. Any minor whose certificate has been
 14 returned as above provided, shall be entitled to a new employment certificate
 15 upon presentation of a statement from a prospective employer, as hereinabove
 16 provided, accompanied by a certificate of physical fitness issued in a manner as
 17 hereinabove provided and based upon a re-examination of the minor, and certify-

18 ing that the minor is physically fit to undertake the work specified in the state-
19 ment submitted in accordance with the requirements of Section 5 of this Act.

Sec. 8. The Department of Labor, through its authorized officers or em-
2 ployes, shall visit all theaters, concert halls or places of amusement, all mercan-
3 tile institutions, stores, offices, hotels, laundries, manufacturing establishments,
4 mills, canneries, factories or workshops, and all other places where minors are or
5 may be employed, in this State, and ascertain whether any minors are employed
6 contrary to the provisions of this Act. Such officers and employees may require
7 that employment certificates, and all lists of minors employed in, or for or in con-
8 nection with such theaters, concert halls, or places of amusement, and such mer-
9 cantile institutions, stores, offices, hotels, laundries, manufacturing establish-
10 ments, mills, canneries, factories or workshops and all other places where minors
11 are employed, as provided for in this Act, shall be produced for their inspection
12 on demand.

Sec. 9. *On or after September 1, 1921, no person under the age of 17 years,*
2 *and on or after September 1, 1922, no person under the age of 18 years,* shall be
3 employed or suffered or permitted to work at any gainful occupation more than
4 six days in any one week, nor more than eight hours in any one day; or before
5 the hour of *eight* o'clock in the morning, or after the hour of *five* o'clock in the
6 evening. Every employer shall post in a conspicuous place in every room where
7 such minors are employed, a printed notice stating the hours required of them
8 each day of the week, the hours of commencing and stopping work, and the hours
9 when the time or times allowed for dinner or for other meals, begins and ends.
10 The printed form of such notice shall be furnished by the Department of Labor,
11 and the employment of any such minor for longer time in any day so stated, or
12 more than six days in any one week, shall be deemed a violation of this section.

Sec. 10. *No employer shall employ, require, permit or suffer any minor to*
2 *work in any place of employment, or at any employment dangerous or prejudicial*
3 *to the life, health, safety or welfare of such minor, or where the employment of*

4 such minor may be dangerous or prejudicial to the life, health, safety or welfare
 5 of other employes or frequenters. The employments and places of employment
 6 designated in the following schedule shall be deemed to be dangerous or preju-
 7 dicial to the life, safety, health or welfare of minors under the ages specified, or
 8 dangerous or prejudicial to the life, health, safety, or welfare of other employes
 9 or of frequenters, where such minor may be employed.

10 *Schedule of Prohibited Employments.*

11 (a) *Minors under twenty-one years of age:*

12 *In any city of a population of 25,000 and over, before six o'clock in the*
 13 *morning and after eight o'clock in the evening of any day, as messenger for a*
 14 *telegraph or messenger company in the distribution, transmission or delivery of*
 15 *messages or goods.*

16 (b) *Minors under eighteen years of age:*

17 (1) *Blast furnaces; in or about.*

18 (2) *Boats and vessels engaged in the transportation of passengers or mer-*
 19 *chandise; pilot; fireman; engineer.*

20 (3) *Docks; in or about.*

21 (4) *Dusts; operating or using any emery, tripoli, rouge, carborundum,*
 22 *stone carborundum, any abrasive or emery polishing or buffing wheel, where*
 23 *articles of the baser materials, as of iridium, are manufactured.*

24 (5) *Electric wires; on the outside, erection and repair of electric wires.*

25 (6) *Elevators; in the running or management of any elevators, lifts or*
 26 *hoisting machines.*

27 (7) *Explosives; in or about establishments where nito-glycerine, dyna-*
 28 *mite, dualin, guncotton, gunpowder, or other high or dangerous explosives are*
 29 *manufactured, compounded or stored.*

30 (8) *Matches; in dipping, dyeing or packing.*

31 (9) *Mine or quarry; in or about.*

32 (10) *Oiling or cleaning; in oiling or cleaning dangerous or hazardous ma-*
 33 *chinery in motion.*

34 (11) *Railroads; switch-tending, gate-tending, or track-repairing; as brake-*
35 *man, fireman, engineer, motorman, conductor, telegraph operator.*

36 (12) *Wharves; in or about.*

37 (c) *On or after September 1, 1921, minors under seventeen years of age,*
38 *and on or after September 1, 1922, under eighteen years of age:*

39 (1) *Bakeries; dough brakes or cracker machinery of any description.*

40 (2) *Belts;*

41 *Adjusting belts (in motion);*

42 *Sewing belts (in any capacity).*

43 (3) *Boilers; operating any steam boiler or steam-generating apparatus.*

44 (4) *Bowling alleys; as pin boys.*

45 (5) *Building trades; on scaffolding, or on a ladder or in heavy work.*

46 (6) *Burnishing machines in any tannery or leather manufacturing.*

47 (7) *Corrugating rolls in roofing or washboard factories.*

48 (8) *Dusts; occupations causing dust in injurious quantities.*

49 (9) *Emery or polishing wheel for polishing metal.*

50 (10) *Immoral purposes; manufacture of goods for.*

51 (11) *Iron and steel, wire or iron-straightening machinery, punchers or*
52 *shears.*

53 (12) *Laundry machinery.*

54 (13) *Machinery; oiling or assisting in oiling, wiping or cleaning any ma-*
55 *chinery in motion.*

56 *Operating or assisting in operating or taking material from any circular or*
57 *bandsaw, or any crosscut saw or slasher, or other cutting or pressing machine*
58 *from which material is taken from behind.*

59 (14) *Paints and poisons;*

60 *Manufacture of paints, colors or white lead.*

61 *Manufacture of any composition in which dangerous or poisonous acids are*
62 *used.*

63 *Manufacture or preparation of compositions of dangerous or poisonous dyes.*

64 *Manufacture or preparation of compositions with dangerous or poisonous*
 65 *gases.*

66 *Manufacture or preparation of compositions of lye or in which the quan-*
 67 *tity thereof is injurious to health.*

68 (15) *Presses; cylinder or job, boring or drill.*

69 (16) *Rubber; washing, grinding or mixing mill of calendar rolls in rubber*
 70 *manufacturing.*

71 (17) *Stamping machines;*

72 *In sheet-metal and tinware manufacturing.*

73 *In washer and nut factory.*

74 *In lace, paper and leather manufacturing.*

75 (18) *Tobacco; in any tobacco warehouse, cigar or other factory where*
 76 *tobacco is manufactured or prepared.*

77 (19) *Woodworking; woodshaper woodjointer, planer, sandpaper, woodpol-*
 78 *ishing or woodturning machine.*

79 (20) *Wool, cotton, hair, upholstering; carding machine, or machine used in*
 80 *picking wool, cotton, hair, or any upholstering material.*

81 (21) *Any other employment which the Director of the Department of Labor*
 82 *finds to be dangerous to life or limb, injurious to the health, or depraving to the*
 83 *morals.*

Sec. 11. On or after September 1, 1921, the presence of any minor under the
 2 age of 17 years and on or after September 1, 1922, the presence of any minor
 3 under the age of 18 years, in any manufacturing establishment, factory or work-
 4 shop, or in any other place in which such minor is by this Act prohibited from
 5 working shall constitute *prima facie* evidence of his or her employment therein.

Sec. 12. It shall be the special duty of the Department of Labor to enforce
 2 the provisions of this Act, and to prosecute all violations of the same before any
 3 magistrate or any court of competent jurisdiction in this State. It shall be the

4 duty of the authorized officers and employees of the Department of Labor, and
5 they are hereby authorized and empowered, to visit and inspect, at all reasonable
6 times and as often as possible, all places covered by this Act. *Truant officers and*
7 *other school officials authorized by the Board of Education or School Directors*
8 *may enter any place in which children are, or are believed to be employed and*
9 *inspect the work certificates on file. It shall be the duty of such truant officers or*
10 *other school officials to file complaints against any employer found violating the*
11 *child labor law.*

Sec. 13. Whoever, *on or after September 1, 1921*, having under his control
2 a minor under the age of 17 years, and whoever *on or after September 1, 1922*,
3 *having under his control a minor under the age of 18 years*, permits such minor
4 to be employed in violation of the provisions of this Act, shall for each offense be
5 fined not less than \$5.00 nor more than \$25.00.

6 Every person authorized to sign any of the certificates prescribed by Section
7 5 and Section 6 of this Act, who certifies to any materially false statement therein
8 shall be guilty of a violation of this Act, and upon conviction thereof, shall be
9 fined not less than \$5.00 nor more than \$100.00 for each offense.

10 A failure to produce to the authorized officers or employees of the Depart-
11 ment of Labor, or to the school attendance officers, any employment certificate or
12 list required by this Act, shall constitute a violation of this Act.

13 Any person, firm or corporation, agent or manager, superintendent or fore-
14 man of any firm or corporation, whether for himself or for such firm or corpora-
15 tion, or by himself or through sub-agent, or manager, superintendent or foreman,
16 who shall violate or fail to comply with any of the provisions of this Act, or shall
17 refuse admittance to premises or otherwise obstruct the officers or employees of
18 the Department of Labor, in the performance of their duties as prescribed by this
19 Act, shall be deemed guilty of a misdemeanor and upon conviction thereof, shall
20 be fined not less than \$20.00 nor more than \$200.00 for each offense.

Sec. 14. The invalidity of any portion of this Act shall in no way affect the
2 validity of any other portion thereof which can be given effect without such
3 invalid part.

Sec. 2. This amendatory Act shall take effect and be in force from and after
2 September 1, 1921.



- 1 Introduced by Mr. Devine, April 21, 1921.
- 2 Read by title, ordered printed, and referred to Committee on Elections.

A BILL

For an Act to regulate and limit election and campaign expenses; to define corrupt and illegal practices in connection therewith and providing a penalty for violations thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* The term “committee” or “organiza-
3 tion” as hereinafter used, shall include every committee or combination or asso-
4 ciation of two or more persons co-operating to aid or promote the success or de-
5 feat of a political party or principle, or of any proposition submitted to vote at
6 any election, or to aid or take part in the election or defeat of any candidate for
7 public office; or to aid or take part in the election or defeat of any candidate for
8 nomination at a primary election or convention, including all proceedings prior
9 to such primary election, or of any candidate for any office whether public or not,
10 to be voted for at a primary election; or to aid or defeat the nomination by peti-
11 tion of a candidate under the primary election law; or any other organization or
12 society soliciting or receiving money, assessments or other things of value, or in

13 any way advocating or permitting the success or defeat of any candidate for
14 office, or of any principal measure or proposition to be voted for at any election
15 held in this State; but nothing herein contained shall apply to or in respect of any
16 committee or organization for the abstract discussion for the advancement of
17 political or economic question.

Sec. 2. Every candidate who is voted for at any election or primary election
2 held within this State, and every person, committee or association of persons
3 incorporated or unincorporated, who may have contributed, promised, received
4 or expended directly or indirectly, any money or thing of value in connection
5 with such election, shall within ten days after such election file, as hereinafter
6 provided, an itemized statement showing in detail all the moneys or things of
7 value, so contributed, promised, received or expended, and all liabilities directly
8 or indirectly incurred in connection with such election; but individuals other than
9 candidates making only contributions, the receipts of which must be accounted
10 for by others, need not file such statement under this section.

Sec. 3. Such statement shall contain the full name and address of the candi-
2 date, person, committee or association making the same, and the names and
3 addresses of each candidate, person, or committee or association who contributed,
4 promised, received or expended any money or thing of value, or incurred
5 directly or indirectly any liability, the specific nature of such item, the purpose
6 for which, the place where and the date when it was contributed, promised, re-
7 ceived, expended, or incurred, and shall specify the balance in the hands of the
8 accounting person, committee, association or candidate, and the disposition to be
9 made thereof.

Sec. 4. Any individual other than a candidate who has expended any money
2 or thing of value for or on behalf of any candidate, committee or association
3 which may have interested itself in the election or defeat of a candidate, or
4 measure, may, instead of filing a statement as provided in this section, and if the
5 money or thing of value was received from a candidate, committee or association

6 shall within five days after such election deliver to such candidate, committee or
7 association an account stating in detail to whom, when, where, for what purpose
8 and in what sums he paid out such money or thing of value, and such account
9 shall be attached to and form a part of the statement to be filed by the candidate,
10 committee or association as provided in this Act. But if a candidate, committee
11 or association cannot obtain such account from the person to whom he or they
12 advanced any money or thing of value within the time in which such statement
13 must be filed, such candidate, committee or association shall so recite in his or
14 their statement, giving the names and addresses of the persons to whom money
15 or thing of value was advanced and who failed to account for the same, and the
16 reasons, if any, given for such failure.

Sec. 5. All statements and accounts of expenditures shall be signed and
2 cerified by the candidate or the duly appointed treasurer or president of the com-
3 mittee or the association filing the same. The verification must show every such
4 statement or account to be, to the affiant's own knowledge, a full and true state-
5 ment or account of all contributions made or received by him, or by the committee
6 or association of which he is a member, and of the disposition thereof made and
7 all liabilities incurred by him or such committee or association.

Sec. 6. Statements required to be filed by this section if they relate to the
2 election of candidates for offices to be filled by, or propositions submitted to,
3 the electors of the entire State, or any division or district thereof greater than
4 a county, shall be filed in the office of the Secretary of State; in all other elections,
5 such statements shall be filed in the office of the County Clerk for the county in
6 which such election is held. All such statements shall be at all times, without
7 question, open to public inspection and shall be retained in such office for a
8 period of not less than four years and no fee shall be charged for filing the
9 same, or for permitting inspection thereof. Copies of such statements, certified
10 by the Secretary of State or the County Clerk with whom the same are filed,

11 under seal (if any) of his office, shall be admitted as evidence in all courts with
12 like force and effect as the original would have if produced.

Sec. 7. The Secretary of State shall prepare a form of statement required
2 by this Act, and at the expense of the State shall furnish copies of the same to
3 the County Clerk for each county, and, upon application, to any candidate, com-
4 mittee, or other persons or organization required to file such statement under
5 this Act.

Sec. 8. No board, office or officers authorized by law to issue commissions or
2 certificates of election shall issue a commission or certificate of election to any
3 person required by this Act to file a statement or statements until such statement
4 or statements have been so made, verified and filed by such persons as provided
5 by this Act. No person, required by this Act to file a statement or statements
6 shall enter upon the duties of any office to which he may be elected until he has
7 filed all statements provided by this Act, nor shall he receive any salary or
8 emolument prior to the filing of the same.

Sec. 9. Every committee, association or organization subject to the provi-
2 sions of this Act, shall appoint and constantly maintain a treasurer, who shall be
3 a resident of this State, to receive, keep and disburse all sums of money which
4 may be collected or received or disbursed by such a committee, association or or-
5 ganization, or by any of its members, for any of the purposes mentioned in this
6 Act; and unless such treasurer is first appointed and thereafter maintained, it
7 shall be unlawful and a violation of this Act for a political committee or any of
8 its members to collect, receive or disburse money for any such purpose. All
9 money collected or received or disbursed by any political committee or by any
10 member or members thereof, for any of the purposes mentioned in this Act, shall
11 be paid over and made to pass through the hands of the treasurer of such com-
12 mittee, and shall be disbursed by him; and it shall be unlawful and a violation
13 of this Act for any committee, association or organization, or for any member or

14 members thereof to disburse or expend money for any of the objects or purposes
15 mentioned in this Act until the money so disbursed or expended shall have
16 passed through the hands of the treasurer of such committee, association or or-
17 ganization.

Sec. 10. Every treasurer of any committee, association or organization, and
2 every person who shall at any time act as such treasurer, shall, whenever he re-
3 ceives or disburses money as such treasurer, or for or on account of any of the
4 objects or purposes mentioned in this Act, immediately enter and thereafter keep
5 in a proper book or books to be provided and preserved by him, and to be filed
6 with the Secretary of State or the County Clerk, as the case may be, after said
7 election, a full, true and detailed statement and account of each and every sum of
8 money so received or disbursed by him, setting forth in such statement each sum
9 so received or disbursed, the object and purpose for which it was received or dis-
10 bursed, and the person from whom it was received or to whom it was disbursed, as
11 the case may be. Every individual receiving or disbursing money aggregating
12 more than twenty dollars, for or on account of any of the objects and purposes
13 mentioned in this Act, unless he receives it from or pays it to the treasurer of any
14 committee, association or organization, shall in like manner keep in a book a
15 detailed written account of his receipts and disbursements. Such books of
16 account so filed with the Secretary of State or the County Clerk, as the case may
17 be, after any such election, shall be preserved by said Secretary of State or
18 County Clerk for a period of two years and during all business hours at any time,
19 without question or condition, shall be open to the inspection of any and all per-
20 sons who may desire to inspect the same.

Sec. 11. Every payment required to be accounted for shall, unless the total
2 expense payable to any one person be not in excess of ten dollars, be couched
3 for by a receipted bill stating the particulars of expense, and every voucher, re-
4 ceipt or account hereby required, shall be filed with the Secretary of State, or
5 County Clerk, as the case may be, after said election, and shall be preserved for
6 fifteen months after the election to which it relates.

Sec. 12. No person shall, directly or indirectly, himself (or) through
2 another person, make a payment or promise of payment to any committee, asso-
3 ciation or organization, or to any person acting under its authority or in its
4 behalf, in any name except its own, nor shall such committee or person knowingly
5 receive a payment or promise of payment, or enter or cause the same to be
6 entered in the accounts of records of such committee, in any other name than that
7 of the person by whom it is made.

Sec. 13. Any person or persons who shall violate any of the provisions of
2 this Act shall be held to be guilty of a corrupt practice and shall be punished as
3 hereinafter provided.

Sec. 14. Upon presentation to a Circuit or Superior Court or to a judge
2 thereof, alleging that some person or persons with such county has become sub-
3 ject to the requirements of this Act in regard to filing statements or account of
4 election expenses, and have failed to do so, or have filed false or incomplete state-
5 ments or accounts, and upon the giving of security, as hereinafter provided, the
6 said court or judge to whom such petition is presented, shall proceed to a sum-
7 mary investigation of the charges made in the petition as hereinafter set forth.
8 Such petition need not be in any particular or technical form, and it may allege
9 such failure or incompleteness upon information and belief, without stating the
10 source of such information and belief. But it shall name the person or persons
11 from whom a statement or an amended statement is required, shall specify in
12 detail some grounds of objection to the statemnt, or shall state some facts on
13 which the demand for a statement is based, and of the information desired, and
14 may make such further allegations as will tend to call the attention of the court
15 and the person proceeded against to the particular question involved.

Sec. 15. The petition provided for in the foregoing section may be filed by
2 the Attorney General of the State, the State's Attorney of the county, a candi-
3 date voted for at the election, in respect to which the allegations in such petition

4 may relate, or by any five resident and qualified voters, who voted at such elec-
5 tion.

Sec. 16. At the time of presenting such petition, the petitioner or petition-
2 ers shall file with the clerk of such court, an undertaking in the sum of two hun-
3 dred and fifty dollars with sureties to be approved by the court or judge thereof
4 or the clerk, conditioned to pay such costs in such proceeding as may be adjudged
5 against such petitioner or petitioners; but nothing in this section contained shall
6 require such undertaking to be filed by the Attorney General or the State's
7 Attorney of any county.

Sec. 17. Upon presentation of such petition and the giving of the security
2 provided for in the foregoing section, the court or judge shall forthwith issue an
3 order, which shall be served personally upon the person or persons named in such
4 petition or left at his or their last known place of residence not less than seventy-
5 two hours prior to the return day thereof, and directing him or them to appear
6 and show cause at a certain day within ten days after the service of the order,
7 why such person or persons should not file a statement of election expenses, or
8 amend the statement already filed, and to furnish the court or judge, such further
9 information as the court may require on the subject. Copies of such order
10 shall be mailed to the Attorney General of the State and the State's Attorney
11 of the county wherein such statement is required to be filed, except in cases
12 where the Attorney General of the State or prosecuting attorney of the county
13 institutes the proceeding.

Sec. 18. Upon the return day mentioned in the order issued as provided in
2 the foregoing section, the court or judge shall forthwith proceed to hear the
3 evidence and testimony to sustain the demand or charges contained in such pe-
4 tition, together with such demands or charges as shall be made during the
5 course of the inquiry, and shall be relevant to the subject, and the evidence in
6 answer thereto.

Sec. 19. The hearings upon such investigations shall, if practicable, be continued from day to day until the final determination of such inquiry. Subpoenas to witnesses to attend the hearings shall be issued and the attendance of such witnesses enforced and evidence offered by depositions, as in civil actions. The petitioner or any party may appear in person or by attorney, and any voter may become a party by filing the bond above mentioned. If, upon such hearing, it shall appear that a person or persons other than those originally proceeded against, have failed to file statements or accounts of election expenses, or have filed false or incomplete statements or accounts, such person or persons shall be made parties to the proceedings and ordered to attend and answer as if they were originally made parties.

Sec. 20. Within ten days after the close of the hearings upon such inquiry the court or judge shall render its or his decision thereon in writing, wherein shall be set forth whether the person or persons against whom the petition is brought is subject to the requirements of filing a statement or account of election expenses and has failed to file, or has filed a false or incomplete statement, and whether such failure to file, or the filing of such false or incomplete statement is due to wilful intent to defeat the requirements of this Act.

Sec. 21. If such person or persons have failed to file such statement or account, or have filed a false or incomplete statement or account, the court or judge shall render judgment requiring the person or persons proceeded against to file the required statement or amendment within ten (10) days after the entry of the judgment, and to pay the costs of the proceeding; and a failure or refusal to comply with the order of the court in this respect shall be deemed a contempt of court. If such person or persons have failed to file a statement or have filed a false or incomplete statement, and such failure to file, or such false or incomplete statement, was due, in the opinion of such court or judge, to a wilful intent to defeat the provisions of this Act, the court or judge shall forthwith transmit a copy of its or his decision and of the evidence to the State's

12 Attorney of the county wherein such statement should be filed, and to the At-
13 torney General when such a statement should be filed with the Secretary of State,
14 with directions to such State's Attorney to present the same to the next grand
15 jury in the county.

Sec. 22. Failure to file a statement or filing a materially false or incom-
2 plete statement, shall be *prima facie* evidence of wilful intent to defeat the
3 statute.

Sec. 23. The petition hereinbefore mentioned shall be filed within forty
2 days after such election, if the statement was filed within the ten days re-
3 quired; but if the statement is not filed, the petition may be presented within
4 one year after such election.

Sec. 24. The proceedings upon, and the investigation of, the charges set
2 forth in said petition, shall take precedence and be preferred over all other
3 actions or proceedings then pending in said court, or before said judge; and,
4 in case of appeals, in the Supreme Court.

Sec. 25. Appeals may be taken to the Supreme Court from the orders
2 herein provided for in the same manner as in civil actions.

Sec. 26. Any person is guilty of a corrupt practice if he, directly or in-
2 directly, by himself or through any other person, in connection with, or in re-
3 spect to any election, pays, lends or contributes, or offers or promises to pay,
4 lend or contribute any money or other valuable consideration, for any other
5 purpose than the following matters and services, at their reasonable, *bona fide*
6 and customary value:

7 Rent of halls and compensation of speakers, music and fireworks for public
8 meetings, and expenses of advertising the same, together with the usual ex-
9 penses incident thereto;

10 The preparation, printing and publication of posters, lithographs, banners,
11 notices and literary material, the compensation of agents to supervise and pre-

pare articles and advertisements in the newspapers, to examine questions of public interest bearing on the election, and the report on the same; the pay of newspapers for advertisements, pictures, reading matter and additional circulation, the preparation and circulation of letters, pamphlets and literature bearing on the election;

Rent of offices and club rooms, compensation of such clerks and agents as shall be required to manage the necessary and reasonable business of the election and of attorneys at law for actual legal services rendered in connection with the election; the preparation of lists of voters and payment of necessary personal expenses by a candidate; the reasonable traveling expenses of the committeemen, agents, clerks and speakers; postage, express, telegrams and telephones; the expenses of preparing, circulating and filing petitions for nomination. No party organization or candidate shall compensate or hire in any one election precinct more than one person to prepare lists of voters. Each political party or committee may designate one party representative in each precinct, and each candidate one representative in each voting precinct upon each election day, whose name shall be certified to by the chairman and secretary of the controlling committee of such party to the board of deputy state supervisors of elections, at least two (2) days before such registration or election day, and who may be paid for their services by such committee or candidates not in excess of five (\$5.00) dollars per day each.

Any payment, contribution or expenditure or agreement or offer to pay, contribute or expend any money or thing of value for any purpose whatsoever except as herein provided is hereby declared to be corrupt practice and invalidates the election of any person guilty thereof.

Sec. 27. Any person or corporation who directly or indirectly:

- (1) Uses or threatens to use any force, violence or restraint, or inflicts or threatens to inflict, any injury, damage, harm or loss, or in any other manner practices intimidation upon or against any person, in order to induce or compel

5 such person to vote or refrain from voting at any election, or to vote or refrain
6 from voting for or against any particular person or persons, or for or against
7 any proposition submitted to the voters at such election, or to place or cause to
8 be placed, or to refrain from placing or causing to be placed, his name upon a
9 registry of voters or on account of such person having voted or refrained from
10 voting at such election, or having voted or refrained from voting for or against
11 any particular person or persons, or for or against any particular proposition
12 submitted to voters at such election or having registered or refrained from
13 registering as a voter; or

14 (2) By abduction, duress or any forcible or fraudulent device or contrivance
15 whatever impedes, prevents or otherwise interferes with the free exercise of
16 the elective franchise by any voter, or compels, induces or prevails upon any
17 voter to give or refrain from giving his vote for or against any particular person
18 at any election; or

19 (3) Being an employer, pays his employees the salary or wages due in
20 envelopes upon which there is written or printed any political motto, device or
21 argument containing threats, expressed or implied, intended or calculated to in-
22 fluence the political opinions or actions of such employees, or within ninety days
23 of a general election exhibits in the establishment or place where his employees
24 are engaged in labor, any handbill or placard containing any threat, notice or
25 information, that if any particular ticket or candidate is elected or defeated,
26 work in his place or establishment will cease in whole or in part, his establish-
27 ment be closed up, or the wages of his employees reduced, or other threats, ex-
28 press or implied, intended or calculated to influence the political opinions, ac-
29 tions or votes of his employees, is guilty of corrupt practice.

30 (4) Being the owner, editor or writer of any newspaper, magazine, so-
31 ciety, religious or trade publication, or any other publication of any description,
32 whether published regularly or irregularly, by an incorporated company, joint
33 stock company, partnership or individual, within or without the State of Illi-
34 nois, using the columns of any such publication for the printing of any demand,

35 or demands for promises, pledges, or committals from candidates for office, or
 36 printing threats, direct or indirect, in the columns of any such publications, for
 37 the purpose of leading, controlling, or intimidating candidates for office, or
 38 sending letters, petitions, circulars or telegrams from any officer, writer, agent
 39 or representative of any such publications to candidates for office, soliciting, re-
 40 questing or demanding promises, pledges or committals for any purpose or for
 41 any reason, or the making of any demand or request verbally and personally
 42 by any officer, writer, agent or representative of any such publications, for
 43 promises, pledges or committals from any candidate for office, or the soliciting
 44 or receiving of money or its equivalent or anything valuable from candidates
 45 for office, by any officer, writer, agent or representative of any such publica-
 46 tions, is guilty of a corrupt practice.

Sec. 28. Any person, who while holding a public office, or being nominated
 2 or seeking a nomination or appointment therefor, corruptly uses or promises to
 3 use, directly or indirectly, any official authority or influence possessed or antic-
 4 ipated, in the way of conferring upon any person, or in order to secure, or aid
 5 any person in securing, any office or public employment, or any nomination, con-
 6 firmation, promotion or increase of salary, upon consideration that the vote or
 7 political influence or action of the person so to be benefitted or of any other per-
 8 son, shall be given or used in behalf of any candidate, officer, or party or upon
 9 any other corrupt conditions or consideration, is guilty of a corrupt practice.

Sec. 29. The total amount expended by a candidate for a public office, voted
 2 for at an election, by the qualified electors of the state, of any political subdi-
 3 vision thereof, for any of the purposes specified in this Act, for contributions
 4 to political committees, as that term is defined in this Act, or for any purpose
 5 tending in any way, directly or indirectly, to promote or aid in securing his
 6 nomination or election, shall not exceed the amount specified herein: By a
 7 candidate for United States Senator the sum of ten thousand dollars; by a can-
 8 didate for governor, the sum of ten thousand dollars; by a candidate for other

9 elective state office, the sum of five thousand dollars; by a candidate for the of-
10 fice of representative in congress, the sum of five thousand dollars; by a candi-
11 date for the office of presidential elector, the sum of ten thousand dollars; by
12 a candidate for the office of State-Senator, the sum of five hundred dollars in
13 each county of his district, or if there be but one county or less in said district,
14 the sum of one thousand dollars; by a candidate for the office of state represen-
15 tative, the sum of three hundred and fifty dollars for each county in his dis-
16 trict; by a candidate for any other public office to be voted for by the qualified
17 electors of a county, city, town or village, or any part thereof, if the total num-
18 ber of votes cast therein for all candidates for the office of governor at the
19 last preceding state election, shall be five thousand or less, the sum of three
20 hundred dollars. If the total number of votes cast therein at such last preced-
21 ing state election be in excess of five thousand, the sum of five dollars for each
22 one hundred in excess of such number may be added to the amounts above speci-
23 fied. Any candidate for a public office who shall expend for the purposes above
24 mentioned an amount in excess of the amounts herein specified, shall be guilty
25 of a corrupt practice.

Sec. 30. (1) Any person convicted of any corrupt practice shall be fined
2 not more than five thousand dollars or imprisoned in the penitentiary not less
3 than one year nor more than three years, or both. Any person convicted of
4 any corrupt practice shall also be disqualified from voting or from holding any
5 public office or employment during a period of seven years from the date of
6 conviction, and if elected to or occupying any public office or employment, such
7 office or employment shall be vacated from the date of conviction.

8 (2) Any person who violates any of the other provisions of this Act, for
9 the vilation of which no other penalty is provided, shall be fined, for the first
10 offense, not more than five hundred dollars, or imprisoned in the county jail not
11 more than six months or both. Any person convicted of a second or subsequent
12 offense shall be fined not more than one thousand dollars, or imprisoned not
13 more than one year, or both; and shall also be disqualified from voting or hold-

14 ing any public office or employment during a period of three years from the
15 date of conviction, and if elected to or occupying any public office or employ-
16 ment, such office or employment shall be vacated from the date of conviction.

17 (3) Any corporation which violates any provision of this Act, or reim-
18 burses or compensates in any manner whatever any person who has given,
19 loaned or promised any money or other thing of value in violation of this Act,
20 shall, for the first offense, be fined not less than one thousand nor more than ten
21 thousand dollars; and upon conviction of any second or subsequent offense, if
22 organized under the laws of this State, shall forfeit its charter and all rights,
23 privileges and immunities thereunder, or if organized under the laws of another
24 state or country, shall forfeit all right to carry on any business in this State.

Sec. 31. At any trial, inquiry or hearing under the provisions of this Act,
2 no person shall be excused from attending and testifying or from producing
3 books, papers or other documents before the court upon the ground or for the
4 reason that the testimony or evidence, documentary or otherwise, required of
5 him, may tend to convict him of a crime or subject him to a penalty or forfeit-
6 ure, but no person shall be prosecuted or subjected to any penalty or forfeiture,
7 except forfeiture of nomination or election to office, for or on account of any
8 transaction, matter, or thing concerning which he may so testify, or produce
9 evidence against him in any criminal investigation or proceeding, except in an
10 action for perjury in giving such testimony.



- 1 Introduced by Mr. Robbins April 21, 1921.
- 2 Read by title, ordered printed and referred to Committee on Education.

A BILL

For an Act in relation to the sale and county uniformity of text books in the public schools of the State and providing penalties for violation of the same.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Before the publisher of any school text
3 book shall offer the same for sale to county text book commissions, as herein-
4 after provided, or Boards of Directors, or any dealer, for the use in the public
5 schools of the State of Illinois, said publisher shall file a copy of said text book
6 in the office of the Superintendent of Public Instruction, with a sworn state-
7 ment of the lowest wholesale price at which said book is sold, or is offered for
8 sale by him anywhere in the United States where county adoptions prevail.
9 Said publisher shall also file with the Superintendent of Public Instruction a
10 written agreement to furnish said text book to all county text book commis-
11 sions, as hereinafter provided, Boards of Education, or Boards of Directors
12 in the State of Illinois at a price not to exceed the wholesale price so filed.
13 Said publisher shall further agree to reduce such prices in the State of Illinois

14 if a reduction is made elsewhere in the United States, so that at no time shall
15 any text book be sold by said publisher in the State of Illinois at a higher price
16 than is received for the same text book elsewhere in the United States where
17 similar adoptions prevail.

18 Said publisher shall further agree that all books offered for sale in the
19 State of Illinois shall be equal to those deposited in the office of the Superin-
20 tendent of Public Instruction as regards paper, binding, print, illustrations
21 and all points that may affect the value of the said book.

Sec. 2. Before the publisher of any school text book shall offer the same
2 for sale to any county text book commission, as hereinafter provided, board of
3 education, or board of directors in the State of Illinois and at the time of filing
4 of such text books in the office of the Superintendent of Public Instruction,
5 said publisher shall pay into the treasury of the State of Illinois a filing fee of
6 one dollar (\$1.00) for each text book offered by the said publisher. A series
7 of text books by the same author upon the same subject shall be considered
8 as one book for filing purposes but all special editions of a text book and all
9 sub-divisions of a series of text books shall be filed before said text book or
10 any of its special editions or subdivisions shall be offered for sale. The fee
11 thus received shall constitute a special fund out of which, when duly appropri-
12 ated, the Superintendent of Public Instruction shall pay the expenses of pub-
13 lishing lists and other information for the use of text book commission and
14 boards of education relative to text books submitted for adoption in the State
15 of Illinois. Any balance remaining in such funds at the end of the fiscal year
16 shall be turned into the general revenue fund of the State.

Sec. 3. When any publisher of school text books shall file with the Su-
2 perintendent of Public Instruction the samples and prices herein provided for,
3 said publisher shall also file a sworn statement that he has no understanding
4 or agreement of any kind with any publisher, or interest in the business of any

5 other publisher, with the effect, design or intent to control the price of such
6 text books, or to restrict competition in the adoption or sale of text books, and
7 if the statement required of said publisher shall be untrue in any respect, then
8 the Attorney General shall institute and prosecute legal proceedings for the
9 forfeiture of the bond of said publisher and for the revocation of his authority
10 to sell text books in the State, and all contracts made by said publisher under
11 this Act shall become null and void at the option of the other parties thereto.

Sec. 4. To insure compliance with the aforesaid conditions under which
2 school text books may be sold in the State of Illinois, said publisher shall file
3 with the Superintendent of Public Instruction a bond of not less than two
4 thousand (\$2,000.00) nor more than ten thousand dollars (\$10,000.00), the
5 amount to be fixed and the bond to be approved by the Superintendent of Pub-
6 lic Instruction upon compliance with this and the preceding sections.

Sec. 5. If in any case said publisher shall furnish school text books infer-
2 ior in any particular to the samples on file with the Superintendent of Public
3 Instruction, or shall require higher prices than those listed with the Superin-
4 tendent of Public Instruction, or shall attempt to evade any of the provisions of
5 this Act, then it shall be the duty of the county text book commission, Board of
6 Education or Board of Directors to inform the Superintendent of Public In-
7 struction of the failure of said publisher to comply with the terms of his con-
8 tract, and the Superintendent of Public Instruction shall institute legal pro-
9 ceedings for the forfeiture of the bond of said publisher.

Sec. 6. Beginning with the year 1921 it shall be the duty of the Superin-
2 tendent of Public Instruction on or before the first day of August of each
3 year to furnish each county text book commission with a list of publishers who
4 have conformed with the requirements hereinbefore set forth relating to
5 sample books, prices and bond, giving the title and price of each book so listed.

Sec. 7. In each county of the State of Illinois there shall be created a
2 text book commission, known as the county text book commission, which shall

3 consist of six competent teachers of the county, three of whom shall be the
 4 supervisory heads of the three largest schools of the county, one primary
 5 teacher, one grade teacher and one high school teacher named by the county
 6 superintendent of public schools and approved by the board of supervisors or
 4 board of commissioners. The county superintendent of public schools shall be
 5 *ex-officio* member of the commission: *provided*, that no appointed member of
 6 said commission shall be eligible unless appointee has had at least three (3)
 7 years' experience in school teaching or management and that no two appoint-
 8 ive members shall be from the same district. Employment as a salesman for
 9 any school text book published, within a period of three (3) years prior to ap-
 10 pointment, shall disqualify any appointive member. The appointment of mem-
 11 bers of commission shall be made within ten (10) days after the taking effect
 12 of this Act, and their successors shall be appointed January 1, 1925, and every
 13 five (5) years thereafter. Vacancies on the commission resulting from death,
 14 resignation, removal from county, disqualification or otherwise shall be filled
 15 as above. A majority of said commission shall constitute a quorum for the
 16 transaction of all business of the commission.

Section 8. The county text book commission shall meet at the county seat
 2 to organize, within twenty (20) days from the date of taking effect of this Act.
 3 The county superintendent of public schools shall be *ex-officio* president of
 4 the commission, and a secretary shall be elected from its own membership. Said
 5 commission shall meet annually thereafter, and special meetings may be called
 6 by the president, or on written request of three (3) members.

7 The president shall preside at all meetings of the commission and the sec-
 8 retary shall keep the record of the meetings. All contracts shall be signed by
 9 the president and attested by the secretary. Members of said commission who
 10 do not receive annual salary from the county shall receive five dollars (\$5.00)
 11 per day for their services, with such additional amounts as shall be necessary
 12 to cover their actual expenses: *provided*, that they shall receive pay for not

13 to exceed five (5) days in any one year except a year in which an adoption
14 is made, when they shall receive pay for not to exceed twelve (12) days, the
15 same to be paid by the county when approved by the county superintendent of
16 public schools.

Sec. 9. The secretary shall keep a correct record of all the acts, votes
2 and proceedings of the commission. All votes shall be by yea and nay upon roll
3 call and shall be so noted in the record. The record shall be kept in the office of
4 the county superintendent of public schools.

Sec. 10. Said commission shall adopt from the authorized State list as
2 hereinafter provided a uniform series of basic text books in orthography, read-
3 ing, writing, geography, history, grammar, arithmetic, civics, history of Illi-
4 nois, physiology, drawing, music, and agriculture, for the use in the schools
5 of all districts in the county, up to and including the eighth grade. The com-
6 mission shall have power to recommend such maps, charts and globes as will
7 be best suited to the various needs of the county: *provided*, that nothing in
8 this Act shall be construed to prevent the commission of two or more counties
9 to meet in joint or separate sessions and select uniform text books for such
10 counties. When such commissions do meet in joint session they shall organize
11 by selecting a temporary chairman and a secretary. All contracts entered into
12 by such joint session shall be signed by the presidents and secretaries of the
13 several commissions represented.

14 The temporary secretary of such joint meeting shall furnish the secretar-
15 ies of each commission represented with a complete record for such meeting,
16 which record shall be entered in the records of each county commission as re-
17 quired in Section 9 of this Act.

Section 11. The county text book commissions are hereby empowered to
2 adopt text books for all subjects that may be taught in the public schools of
3 their respective counties, and to enter into contracts for the same for a period

4 period of five (5) years in the manner hereinafter provided all books adopted
5 by the county commission shall be used exclusively in the schools of the county;
6 *provided*, that all books introduced into public schools since May 1, 1918,
7 through the recorded action of the board of education or board of directors,
8 may be continued in use for a period of five (5) years from date of the intro-
9 duction of said books, at which time the change shall be made to conform to the
10 county list adopted. *And, provided, further*, that the publishers of said books
11 shall comply with all the requirements of Sections four (4) and five (5) of this
12 Act prior to August 1, 1922.

Sec. 12. In selecting books the text book commission shall carefully con-
2 sider the price, character, matter, binding, illustrations, print and paper, the
3 adaptability to local conditions and all points that affect the value of the book.
4 The text book commission shall report within five (5) days after selection of
5 text books has been made to each clerk or secretary of each board of directors
6 or board of education and dealer in the county the name, price, and publisher
7 of each text book selected.

Sec. 13. Nothing in this Act shall be constructed to prevent use of such
2 supplementary books as shall be furnished at the expense of the school dis-
3 trict: *provided*, that such supplementary books shall not displace books regu-
4 larly adopted under the provisions of this Act. Boards of education and
5 boards of directors shall have authority to purchase all necessary books and
6 school supplies for indigent pupils and pay for the same out of the contingent
7 fund of the district.

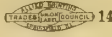
Sec. 14. Any teacher or school officer, who, after the county text book
2 commission shall have adopted a list of text books for such county, shall sanc-
3 tion or permit the use of any book not adopted in accordance with the provis-
4 ions of this Act, shall be guilty of a misdemeanor, and, upon conviction, shall be
5 fined not less than twenty-five dollars (\$25.00) nor more than one hundred dol-

6 lars (\$100.00). If any county text book commission, board of education or
7 board of directors shall attempt to change any text book before the expiration
8 of a contract for the same, made under this Act, any member of such commis-
9 sion or board, who votes for such unlawful charge, shall be guilty of a misde-
10 meanor, and upon conviction shall be fined not less than twenty-five dollars
11 (\$25.00) nor more than one hundred dollars (\$100.00).

Sec. 15. Any publisher or publisher's agent who shall sell, or offer for
2 sale or adoption in this State, school text books of any kind, without first ob-
3 taining license therefor under this Act, shall be guilty of a misdemeanor and
4 upon conviction shall be fined not less than five hundred dollars (\$500.00) nor
5 more than five thousand dollars (\$5,000.00).

Sec. 16. Any member of any county text book commission who shall ac-
2 cept or receive any money, gift or any property, or favor whatsoever, from any
3 person, firm or corporation, selling or offering for sale any text books, shall,
4 upon conviction, be punished by a fine not exceeding one thousand dollars
5 (\$1,000.00), or by imprisonment in the county jail for not more than six months,
6 or by both fine and imprisonment in the discretion of the court.

Sec. 17. This Act shall not apply to districts which have a population of
2 one hundred thousand or more, and the county text book commission shall not
3 include any teacher or supervisory head of such excluded districts.



- 1 Introduced by Mr. Frank Ryan, April 21, 1921.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act to provide for the purchase of Civil War Library belonging to William
A. Vincent and making an appropriation therefor.

WHEREAS, The late Judge William A. Vincent of Chicago, Ill., in this State,
2 was the owner of a most complete, valuable and interesting Civil War Library,
3 which contains many rare documents, records and books pertaining to the Civil
4 War period; therefor,

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* The Illinois State Historical Library
3 shall purchase of the personal representative of said William A. Vincent, de-
4 ceased, the complete Civil War Library belonging to the latter at the time of
5 his death. Such Civil War Library shall be placed with the other books here-
6 tofore collected by said Historical Library.

Sec. 2. For the purpose of carrying out the provisions of this Act there
2 is appropriated to the Illinois State Historical Library, the sum of twelve
3 thousand dollars (\$12,000.00), or so much thereof as may be necessary.

Sec. 3. This appropriation shall be subject to the provisions of "An Act
2 in relation to State Finance," approved June 19, 1919, in force July 1, 1919.



1 Introduced by Mr. Bentley, April 21, 1921.

2 Read by title, ordered printed and referred to Committee on Efficiency and
Economy.

A BILL

For an Act in relation to weights and measures.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* The weights and measures received from
3 the United States under joint resolutions of Congress approved June 14, 1836,
4 and July 27, 1866, to-wit: one yard measure, one standard half bushel contain-
5 ing one thousand and seventy-five and twenty-one hundredths standard cubic
6 inches, one standard wine gallon containing two hundred and thirty-one stand-
7 ard cubic inches, one-half gallon, one wine quart, one wine pint, one wine half
8 pint, one set of avoirdupois weights,, consisting of fifty, twenty-five, twenty, ten,
9 five, four, three, two and one pounds, and from eight ounces down to one dram;
10 one set of troy weights, from five thousand pennyweights down to half a grain
11 and from one pound down to the ten-thousandth part of an ounce, and such new
12 weights and measures as shall be received from the United States as standard
13 weights and measures in addition thereto or in renewal thereof, and such as shall

14 be supplied by the State in conformity therewith and certified by the National
15 Bureau of Standards, shall be the State standards of weights and measures.

Sec. 2. In addition to the State standards of weights and measures, provided for above, there shall be supplied by the State at least one complete set of copies of these, to be kept at all times in the office of the Director of Trade and Commerce, and to be known as office standards; and such other weights, measures and apparatus as may be found necessary to carry out the provisions of this Act, to be known as working standards. Such weights, measures, and apparatus shall be verified by the Director of Trade and Commerce upon their initial receipt, and at least once in each year thereafter the office standards shall be verified by direct comparison with the State standards, the working standards by comparison with the office standards. When found accurate upon these tests, the office and working standards shall be sealed by stamping on them the letters "ILL" and the last two figures of the year with seals which the Director of Trade and Commerce shall have kept for that purpose. The office standards shall be used in making all comparisons of weights, measures, and weighing or measuring devices submitted for test in the office of the Director of Trade and Commerce, and the State standards shall be used only in verifying the office standards and for scientific purposes.

Sec. 3. The Director of Trade and Commerce shall take charge of the standards adopted by this Act as the standards of the State, and cause them to be kept in a fireproof building belonging to the State (or in a safe and suitable place in the office of the Director of Trade and Commerce), from which they shall not be removed except for repairs or for certification, and he shall take all other necessary precautions for their safekeeping. He shall maintain the State standards in good order and shall submit them at least once in ten years to the National Bureau of Standards for certification. He shall keep a complete record of the standards, balances and other apparatus belonging to the State and shall take a receipt for the same from his successor in office.

Sec. 4. It shall be the duty of all cities in this State required to appoint inspectors as provided for herein, at least once in five years, to forward to the office of standards at Springfield, Illinois, all standard weights, measures, and apparatus which may belong to said cities, for the purpose of having the same tried and proved by the office standards of this State, and upon receipt of same, the Director of Trade and Commerce shall try and prove said apparatus as herein required, and he shall seal said weights, measures and apparatus when found to be accurate by stamping on them the letters "ILL" and the last two figures of the year with seals which he shall have and keep for that purpose.

The Director of Trade and Commerce shall inspect all standard weights, measures, and other apparatus used by such cities, at least once in two years, and shall keep a record of the same. He shall, at least once in two years, visit the cities for the purpose and in order to inspect the work of the city inspectors, and in the performance of such duties he may inspect the weights, measures, balances, or any other weighing or measuring devices of any citizen, firm or corporation, and shall have the same power as the city inspectors of weights and measures.

The Director of Trade and Commerce shall issue from time to time regulations for the guidance of city inspectors, and the said regulations shall govern the procedure to be followed by the aforesaid inspectors in the discharge of their duties.

Sec. 5. The Director of Trade and Commerce shall have and keep a general supervision of the weights and measures, and weighing or measuring devices offered for sale, sold, or in use in the State. He shall, upon the written request of any citizen, firm, or corporation, or educational institution in the State, test or calibrate weights, measures, and weighing or measuring devices used as standards in the State. He shall at least once annually test all scales, weights, and measures used in checking the receipts or disbursements of supplies in every institution for the maintenance of which moneys are appropriated

9 by the legislature, and he shall report in writing his findings to the Director
10 having jurisdiction over the institution whose measuring devices are tested,
11 and, at the request of such director, the Director of Trade and Commerce shall
12 appoint in writing one or more employees then in the actual service of the in-
13 stitution who shall act as special deputies for the purpose of checking the re-
14 cepts or disbursements of supplies.

Sec. 6. No person shall be required to pay more than two inspection fees
2 for any one scale in any one year when found to be accurate. Whenever such
3 inspection shall be made upon the complaint of any person, other than the owner
4 of the scale, and upon examination the scale is found by the inspector to be
5 accurate for weighing, the inspection fee for such inspection shall be paid by
6 the person making complaint. Whenever a special request is made for an in-
7 spection of a scale, the actual expenses of the same shall be paid by the owner
8 of said scale, or by the person making the complaint, as herein provided.

Sec. 7. When not otherwise provided by law, the Director of Trade and
2 Commerce shall have the power, and it shall be his duty, in those parts of the
3 State in which a city sealer is not required to be appointed by the provisions of
4 this Act, to inspect, test, try, and ascertain if they are correct all weights,
5 measures, and weighing or measuring devices kept, offered, or exposed for sale,
6 sold, or used or employed by any proprietor, agent, lessee, or employee in prov-
7 ing the size, quantity, extent, area, or measurement of quantities, things, prod-
8 uce, or articles for distribution or consumption purchased or offered or submitted
9 by such person or persons for sale, hire, or award; and he shall have the power
10 to and shall from time to time weigh or measure and inspect packages or
11 amounts or commodities of whatsoever kind for the purpose of sale, offered or
12 exposed for sale, or sold or in the process of delivery, in order to de-
13 termine whether the same contain the amounts represented, and whether they
14 are offered for sale or sold in a manner in accordance with law. He shall, at
15 least once each year and as much oftener as he may deem necessary, see that

16 all weights, measures, and weighing or measuring devices used are correct. He
17 may, for the purpose above mentioned, and in the general performance of his
18 official duties, enter and go into or upon, and without formal warrant, any stand,
19 place, building or premises, or stop any vendor, peddler, junk dealer, coal wagon,
20 ice wagon, delivery wagon, or any person whatsoever, and require him, if neces-
21 sary, to proceed to some place which the Director of Trade and Commerce may
22 specify, for the purpose of making the proper tests. Whenever the Director of
23 Trade and Commerce finds a violation of the statutes relating to weights and
24 measures, he shall cause the violator to be prosecuted.

Sec. 8. Whenever the Director of Trade and Commerce compares weights,
2 measures, or weighing or measuring devices and finds that they correspond, or
3 causes them to correspond, with the standards in his possession, he shall seal or
4 mark such weights, measures, or weighing or measuring devices with appropri-
5 ate devices.

Sec. 9. Whenever complaint shall be made to the Director of Trade and
2 Commerce that any false or incorrect scales, weights or measures are being
3 made use of by any person, firm or corporation in the purchase or sale of mer-
4 chandise or other commodities or in weighing any article or commodity, the
5 piece price paid for producing which he is determined by weight or measure,
6 it shall be his duty to cause the same to be inspected as soon as the duties of
7 his office will permit, and he shall make such other inspection of weights and
8 measures as in his judgment is necessary or proper to be made.

Sec. 10. The Director of Trade and Commerce shall condemn and seize, and
2 may destroy, incorrect weights, measures, or weighing or measuring devices
3 which, in his best judgment, are not susceptible of satisfactory repair; but such
4 as are incorrect and yet, in his best judgment, may be repaired, he shall mark or
5 tag as "Condemned for repairs." The owners or users of any weights, meas-
6 ures, or weighing or measuring devices of which such disposition is made shall

7 have the same repaired and corrected within ten days; and they may neither
8 use nor dispose of the same in any way, but shall hold the same at the disposal
9 of the Director of Trade and Commerce. Any weights, measures, or weighing
10 or measuring devices which have been "condemned for repairs" and have not
11 been repaired as required above, shall be confiscated by the Director of Trade
12 and Commerce.

Sec. 11. The powers and duties given to and imposed upon the Director
2 of Trade and Commerce herein are hereby also given to and imposed upon the
3 Superintendent of Standards and Statistics, when acting under his instructions
4 and at his discretion.

Sec. 12. There shall be an inspector of weights and measures in each city
2 of this State having a population of 25,000 or more inhabitants, according to
3 the last official federal census, who shall be appointed by the council of said city
4 in the manner in which other city officers or employees are appointed; and power
5 is hereby conferred upon such council to pass such ordinance relative thereto
6 and the duties to be performed by such inspector as it may deem proper, the
7 provisions of which ordinance shall not be in conflict with the provisions of this
8 Act: Provided, that nothing in this section contained shall be construed to
9 minimize the powers or curtail the duties of any city inspector of weights and
10 measures in any city or more than two hundred thousand inhabitants, as pro-
11 vided by ordinances or regulations of such city, nor to modify or repeal any
12 such ordinances.

Sec. 13. The council of each city of this State required hereunder to
2 appoint an inspector of weights and measures shall procure, at the expense of
3 the city, and shall keep at all times, a set of weights and measures, and other
4 apparatus, as complete and of such materials and construction as the Director
5 of Trade and Commerce may from time to time direct. All such weights, meas-
6 ures, and other apparatus, having been tried and accurately proved by the

7 Director of Trade and Commerce, shall be sealed and certified to by him as
8 herein before provided, and shall then be deposited with and preserved by the
9 city inspector of weights and measures as public standards for such city. When-
10 over the council of such city shall neglect to procure such standards for six
11 months, the city clerk of said city, on notification and request by the Director
12 of Trade and Commerce, shall provide such standards and cause the same to be
13 tried, sealed and deposited at the expense of the city.

Sec. 14. Where not otherwise provided by law, the city inspector of weights
2 and measures shall have the same powers and shall perform the same duties
3 within his city as are granted to and imposed upon the Director of Trade and
4 Commerce by sections 7, 8, 9 and 10 of this Act.

Sec. 15. The city inspector of weights and measures shall keep a complete
2 record of all his official acts and shall make an annual report to the council of
3 the city, and an annual report, duly sworn to, on the first day of July, to the
4 Director of Trade and Commerce, on blanks furnished by him, and also any
5 special reports that the Director of Trade and Commerce may request.

Sec. 16. The Director of Trade and Commerce, his representatives, and the
2 city inspectors of weights and measures are hereby made special policemen and
3 are authorized and empowered to arrest, without formal warrant, any violator
4 of the statute in relation to weights and measures, and to seize and hold for use
5 as evidence in any action brought under the statute of this State, or under any
6 ordinances of a municipality, any short measure or faulty and incorrect weight,
7 scale or other instrument used for weighing or measuring, or any commodity or
8 article of merchandise sold, offered or exposed for sale which is of less weight
9 or measure than it is represented to be by the vendor, his agent, or employee.
10 Such short measure, faulty or incorrect weight, scale or other instrument used
11 for weighing or measuring, or such commodity or article of merchandise (ex-
12 cept perishable commodities or articles which shall have become of no value)

13 shall be released and returned to the owner thereof if no suit is commenced
14 against such owner within fifteen days of the date of such seizure.

15 Any person herein authorized, who shall make any such seizure, shall not be
16 liable to the owner of the property seized for damages caused by such seizure in
17 any case where in fact any such measure seized is short, or reasonable grounds
18 exists for believing it so to be; or any weight, scale or other instrument used
19 for weighing is faulty or incorrect, or reasonable grounds exists for believing
20 it so to be; or any such scale, weight or measure, or any commodity or article
21 of merchandise, is of less weight or measure than it is represented, or reason-
22 able grounds exists for believing it so to be.

23 Upon the conviction of the defendant the court shall cause any scale, weight
24 or measure in respect whereof the defendant stands convicted, and which re-
25 mains in the possession or under the control of the prosecutor or other person
26 duly authorized, to be destroyed.

Sec. 17. Any person who shall hinder or obstruct in any way the Director
2 of Trade and Commerce, or any city inspector of weights and measures, in the
3 performance of his official duties shall be guilty of a misdemeanor, and, upon
4 conviction thereof in any court of competent jurisdiction, shall be punished by
5 a fine of not less than \$20 nor more than \$200, or by imprisonment in the
6 county jail for not more than three months, or by both such fine and impris-
7 onment.

Sec. 18. Any person who shall impersonate in any way the Director of
2 Trade and Commerce, or any city inspector of weights and measures, by the
3 use of his seal or counterfeit of his seal, or otherwise, shall be guilty of a mis-
4 demeanor, and upon conviction thereof in any court of competent jurisdiction,
5 shall be punished by a fine of not less than \$100 nor more than \$500, or by im-
6 prisonment for not more than one year, or by both such fine and imprisonment.

Sec. 19. It shall be unlawful to sell, except for immediate consumption on
2 the premises, liquid commodities in any other manner than by weight or liquid

3 measure, or commodities not liquid in any other manner than by measure of
4 length, by weight, or by numerical count, unless otherwise agreed in writing by
5 the mutual consent of the buyer and seller: *Provided, however,* that nothing
6 in this section shall be construed to prevent the sale of fruits, vegetables, and
7 other dry commodities in the standard barrel provided for in section 26; or of
8 berries and small fruits in boxes as provided for in section 27; or of vegetables
9 or fruits usually sold by the head or bunch in this manner: *Provided, further,*
10 that nothing in this section shall be construed to apply to foodstuffs put up in
11 original packages.

12 For the purposes of this section, the term "original package" shall be con-
13 strued to include a commodity in a package, carton, case, can, barrel, bottle, box,
14 phial, or other receptacle, or in coverings or wrappings of any kind, put up by
15 the manufacturer, which may be labeled, branded, or stenciled, or otherwise
16 marked, or which may be suitable for labeling, branding, or stenciling, or mark-
17 ing otherwise, making one complete package of the commodity. The words
18 "original package" shall be construed to include both the wholesale and the
19 retail package.

20 For the purpoe of this section the term, "commodities not liquid" shall be
21 construed to include goods, wares, and merchandise, which are not in liquid form
22 and which have heretofore been sold by measure of length, by weight, by meas-
23 ures of capacity, or by numerical count, or which are susceptible of sale in any
24 of these ways.

Sec. 20. It shall be unlawful to sell or offer to sell any coal, coke, or char-
2 coal in any other manner than by weight. It shal be unlawful for any person
3 to deliver any coal, coke, or charcoal unless each such delivery is accompanied
4 by a delivery ticket and a duplicate thereof, on each of which shall be, in ink,
5 or other indelible substance, distinctly expressed in pounds, the gross weight of
6 the load, the tare of the delivery vehicle, and the quantity or quantities of coal,
7 coke, or charcoal contained in the vehicle used in such deliveries, with the name

8 of the purchaser thereof, and the name of the dealer from whom purchased. One
 9 of these tickets shall be surrendered to the Director of Trade and Commerce, or
 10 any city inspector of weights and measures, upon his demand, for his inspection,
 11 and this ticket, or a weight slip issued by him when he desires to retain the
 12 original, shall be delivered to the said purchaser of said coal, coke, or charcoal,
 13 or his agent or representative at the time of the delivery of the fuel; and the
 14 other ticket shall be retained by the seller of the fuel. When the buyer carries
 15 away the purchase, a delivery ticket showing the actual number of pounds deliv-
 16 ered to him must be given to him at the time the sale is made.

Sec. 21. It shall be unlawful to keep for the purpose of sale, offer or expose
 2 for sale, or sell, any commodity in package form unless the net quantity of the
 3 contents be plainly and conspicuously marked on the outside of the package, in
 4 terms of weight, measure or numerical count: *Provided, however,* that reason-
 5 able variations or tolerances shall be permitted, and that these reasonable vari-
 6 ations or tolerances and exemptions shall be established by rules and regulations
 7 made and promulgated by the Director of Trade and Commerce: *And, provided,*
 8 *further,* that this section shall not be construed to apply to those commodities
 9 in package form, the manner of sale of which is specifically regulated by the
 10 provisions of other sections of this Act.

11 The words "in package form" as used in this section shall be construed to
 12 include a commodity in a package, carton, case, can, box, barrel, bottle, phial, or
 13 other receptacle, or in coverings or wrappings of any kind, put up by the manu-
 14 facturer, or, when put up prior to the order of the commodity, by the vendor,
 15 which may be labeled, branded, or stenciled, or otherwise marked, or which may
 16 be suitable for labeling, branding, or stenciling, or marking otherwise, making
 17 one complete package of the commodity. The words "in package form" shall be
 18 construed to include both the wholesale and the retail package.

Sec. 22. It shall be unlawful to keep for the purpose of sale, offer or expose
 2 for sale, or sell, any commodity composed in whole or in part of cotton, wool,

3 linen, or silk, or any other textile material on a spool or similar holder, or in a
4 container or band, or in a bolt or roll, or in a ball, coil, or skein, or in any similar
5 manner, unless the net amount of the commodity in terms of weight or measure
6 shall be definitely, plainly and conspicuously marked on the principal label, if
7 there be such a label; otherwise, on a wrapping, band, or tag attached thereto.

8 The words "spool or similar holder, container or band, bolt or roll, or ball,
9 coil or skein" shall be construed to include the spool or similar holder, container
10 or band, bolt or roll, or ball, coil, or skein put up by the manufacturer; or when
11 put up prior to the order of the commodity, by the vendor. It shall be held to
12 include both the wholesale and the retail package.

Sec. 23. It shall be unlawful for any person to sell, or offer to sell, any
2 butter or renovated or process butter or oleomargarine in any other manner
3 than by weight. It shall be unlawful for any person to put up, pack, or keep
4 for the purpose of sale, offer or expose for sale, or sell any butter or renovated
5 or process butter, or oleomargarine, in the form of prints, bricks, or rolls in
6 any other than the following sizes, to-wit: one-quarter pound, one-half pound,
7 one pound, one and one-half pounds, or multiples of one pound. Each print, brick,
8 or roll shall bear a definite, plain, and conspicuous statement of its true net
9 weight, on the principal label, where there be such a label, otherwise on the out-
10 side wrapper thereof; such statement shall be in Gothic type not less than one-
11 quarter inch square.

12 The prints, bricks, or rolls referred to in this section shall be construed to
13 include those prints, bricks, or rolls put up by the manufacturer or producer; or,
14 when put up prior to the order of the commodity, by the vendor.

Sec. 24. All bread kept for the purpose of sale, offered or exposed for sale,
2 or sold, shall be sold by weight. To each loaf of bread shall be attached a label
3 plainly showing its correct weight and the firm name of the manufacturer
4 thereof; the size of the label and type to be used to be specified by the Director
5 of Trade and Commerce. It shall be unlawful for any person to make or keep,

6 for the purpose of sale, offer or expose for sale, or sell, any bread other than
7 such as shall be in accordance with the provisions of this section. Nothing here-
8 in contained shall prevent any city, required by this Act to appoint inspectors of
9 weights and measures, from exacting and enforcing ordinances providing for
10 the sale of bread by specified weights.

Sec. 25. Bottles used for the sale of milk or cream shall be of the capacity
2 of one-half gallon, three pints, one quart, one pint, one-third quart, one-half pint,
3 and one gill filled to the bottom of the cup, ring or stopple. The following vari-
4 ations on individual bottle or jars may be allowed, to-wit: six drams above and
5 six drams below on the half gallon, five drams above and five drams below on
6 the three-pint, four drams above and four drams below on the quart, three
7 drams above and three drams below on the pint; two and one-half drams above
8 and two and one-half drams below on the one-third quart, two drams above and
9 two drams below on the one-half pint, and two drams above and two drams be-
10 low on the gill. Bottles or jars used for the sale of milk or cream shall have
11 clearly blown or otherwise permanently marked in the side of the bottle the
12 capacity of the bottle and the word "sealed"; and in the side or bottom of the
13 bottle the name, initials, or trade-mark of the manufacturer and a designating
14 number, which designating number shall be different for each manufacturer and
15 may be used in identifying the bottle. The designating number shall be fur-
16 nished by the Director of Trade and Commerce upon application by the manu-
17 facturer, and upon the filing by the manufacturer of a bond in the sum of \$1,000,
18 with sureties, to be approved by the Director of Trade and Commerce,
19 conditioned upon their conformance with the requirements of this section. A
20 record of the bonds furnished and the designating numbers and to whom fur-
21 nished shall be kept in the office of the Director of Trade and Commerce.

22 *Provided*, the requirement that the word "sealed" and the designating
23 number to be placed upon the bottle shall not be enforced as to any such bottles
24 in use at the time of the passage of this Act until the first day of January, A. D.

1923; and *provided further*, such requirement for the marking of bottles shall not be construed as modifying or repealing any other laws of this State with reference to this subject.

Any manufacturer who sells or offers to sell milk or cream bottles to be used in this State that do not comply, as to size and markings, with the provisions of this section shall suffer a penalty of \$500, to be recovered by the Attorney General in an action against the offender's bondsmen to be brought in the name of the People of the State. Any dealer who uses, for the purpose of selling milk or cream, jars or bottles purchased after this law takes effect that do not comply with the requirements of this section as to markings and capacity, shall be deemed guilty of using a false or insufficient measure.

City inspectors of weights and measures are not required to seal bottles or jars for milk or cream marked as in this section provided, but they shall have the power to, and shall from time to time, make tests on individual bottles used by the various persons, firms, or corporations, in the territory over which they have jurisdiction in order to ascertain if the above provisions are being complied with, and they shall immediately report violations found to the Director of Trade and Commerce.

Sec. 26. The standard barrel for fruits, vegetables and dry commodities other than cranberries shall be of the following dimensions when measured without distention of its parts; length of staves, twenty-eight and one-half inches; diameter of heads, seventeen and one-eighth inches; distance between heads, twenty-six inches; circumference of bulge, sixty-four inches, outside measurement; and the thickness of staves not greater than four-tenths of an inch: *Provided*, that any barrel of a different form having a capacity of seven thousand and fifty-six cubic inches shall be a standard barrel. The standard barrel for cranberries shall be of the following dimensions when measured without distention of its parts: length of staves, twenty-eight and one-half inches; diameter of heads, sixteen and one-fourth inches; distance between

heads, twenty-five and one-fourth inches; circumference of bulge, fifty-eight and one-half inches, outside measurement; and the thickness of staves not greater than four-tenths of an inch.

It shall be unlawful for any person to offer or expose for sale, sell, or ship any other barrels for fruits, vegetables, or other dry commodities, or to offer or expose for sale, sell, or ship any fruits, vegetables, or other dry commodities in other barrels than the standard barrels as defined in this section, or subdivisions thereof known as the third, half, or three-quarters barrel: *Provided, however,* that nothing in this section shall apply to barrels used in packing or shipping commodities sold exclusively by weight or numerical count: *And, provided, further,* that no barrel shall be deemed below standard within the meaning of this section when shipped to any foreign country and constructed according to the specifications or directions of the foreign country to which the same is intended to be shipped.

Sec. 27. It shall be unlawful to sell, or offer to sell, any berries or small fruits in any other manner than by weight, or in the containers described in this section. It shall be unlawful to procure or keep for the purpose of sale, offer or expose for sale, sell, or give away baskets or other open containers for berries or small fruits, holding one quart or less, or to procure or keep for the purpose of sale, offer or expose for sale, or sell berries or small fruits in baskets or other open containers, holding one quart or less, of any other than the following capacities, when level full: one quart, one pint, or one-half pint, standard dry measure.

Sec. 28. Whenever any commodity is sold on a basis of weight, it shall be unlawful to employ any other weight in such sale than the net weight of the commodity; and all contracts concerning goods sold on a basis of weight shall be understood and construed accordingly. Whenever the weight of a commodity is mentioned in this Act, it shall be understood and construed to mean the net weight of the commodity.

Sec. 29. The unit or standard of length and surface, from which all the other measures of extension, whether lineal, superficial or solid, shall be derived and ascertained, is the standard yard designated in this Act, which is divided into three equal parts called feet, and each foot into twelve equal parts called inches. For measures of cloth and other commodities commonly sold by the yard, it may be divided into halves, quarters, eighths and sixteenths. The rod, pole or perch, contains five and one-half yards; the mile one thousand seven hundred and sixty yards. The chain for measuring land is twenty-two yards long and is divided into one hundred equal parts called links. The acre for land measurement shall be measured horizontally and contain ten square chains, equivalent in area to a rectangle sixteen rods in length and ten in breadth, six hundred and forty acres being contained in a square mile.

Sec. 30. The units or standards of weight from which all the other weights shall be derived and ascertained shall be the standard avoirdupois and troy weights designated in this Act, an avoirdupois pound to bear to the troy pound the ratio of seven thousand to five thousand seven hundred and sixty grains. Therefore, the avoirdupois pound bears to the troy pound the ratio of seven thousand to five thousand seven hundred and sixty, and is divided into sixteen equal parts called ounces. The hundredweight consists of one hundred avoirdupois pounds, and twenty hundredweight are a ton. The troy ounce is equal to a twelfth part of a troy pound.

Sec. 31. The units or standards of measure of capacity for liquids from which all other measures shall be derived and ascertained shall be the standard gallon and its parts designated in this Act. The barrel is equal to thirty-one and one-half gallons, and two barrels shall constitute a hogshead. All other measures of capacity for liquids shall be derived from the liquid gallon by continual division by the number two, so as to make half gallons, quarts, pints, half pints and gills. The unit or standard measure of capacity for substance not liquids, from which all measures of such substances shall be derived and ascer-

9 tained, is the standard half bushel mentioned in this Act. The peck, half peck,
 10 quarter peck, quart and pint measure for measuring commodities which are not
 11 liquids shall be derived from the half bushel by successively dividing that meas-
 12 ure by two.

Sec. 32. All commodities sold by heaped measure shall be duly heaped up
 2 in the form of a cone, the outside of the measure by which the same shall be
 3 measured to be the limit of the base of such cone, and such cone to be as high
 4 as the article to be measured will admit.

5 The measures used for measuring dry commodities not heaped shall be
 6 stricken with a straight stick or roller.

Sec. 33. Contracts hereafter to be executed, made within this State, for any
 2 work to be done, or for anything to be sold, delivered, done or agreed for, by
 3 weight or measure, shall be taken and construed to be made according to the
 4 standard weight and measure ascertained as hereinbefore provided unless there
 5 is an express provision to the contrary.

Sec. 34. Whenever any of the following articles shall be contracted for, or
 2 sold, or delivered, and when no special contract or agreement shall be made to
 3 the contrary, the weight per bushel or barrel or divisible merchantable quanti-
 4 ties of a bushel or barrel shall be as follows:

- 5 Wheat flour, per barrel, 196 pounds.
- 6 Wheat flour, per half barrel, 98 pounds.
- 7 Wheat flour, per quarter barrel sack, 49 pounds.
- 8 Wheat flour, per eighth barrel sack, $24\frac{1}{2}$ pounds.
- 9 Corn meal, per bushel sack, 48 pounds.
- 10 Corn meal, per half bushel sack, 24 pounds.
- 11 Corn meal, per quarter bushel sack, 12 pounds.
- 12 Alfalfa seed, per bushel, 60 pounds.
- 13 Apples, green, per bushel, 50 pounds.

- 14 Apples, dried, per bushel, 24 pounds.
- 15 Barley, per bushel, 48 pounds.
- 16 Beans, green or string, per bushel, 24 pounds.
- 17 Beans, wax, per bushel, 24 pounds.
- 18 Beans, white, per bushel, 60 pounds.
- 19 Beans, castor, per bushel, 46 pounds.
- 20 Beets, per bushel, 60 pounds.
- 21 Blue grass seed, per bushel, 14 pounds.
- 22 Bran, per bushel, 20 pounds.
- 23 Buckwheat, per bushel, 52 pounds.
- 24 Carrots, per bushel, 50 pounds.
- 25 Charcoal, per bushel, 20 pounds.
- 26 Clover seed, per bushel, 60 pounds.
- 27 Coal, per bushel, 80 pounds.
- 28 Coke, per bushel, 40 pounds.
- 29 Corn seed, broom, per bushel, 48 pounds.
- 30 Corn meal, unbolted, per bushel, 48 pounds.
- 31 Corn, in the ear, per bushel, 70 pounds.
- 32 Corn, kaffir, per bushel, 56 pounds.
- 33 Corn, shelled, per bushel, 56 pounds.
- 34 Cotton seed, per bushel, 32 pounds.
- 35 Cranberries, per bushel, 33 pounds.
- 36 Cucumbers, per bushel, 48 pounds.
- 37 Emmer, per bushel, 40 pounds.
- 38 Flax seed, per bushel, 56 pounds.
- 39 Gooseberries, per bushel, 40 pounds.
- 40 Hair, plastering, unwashed, per bushel, 8 pounds.
- 41 Hair, plastering, washed, per bushel, 4 pounds.
- 42 Hemp seed, per bushel, 44 pounds.
- 43 Hickory nuts, per bushel, 50 pounds.

- 44 Hungarian grass seed, per bushel, 50 pounds.
- 45 Indian corn or maize, per bushel, 56 pounds.
- 46 Lime, per bushel, 80 pounds.
- 47 Malt, per bushel, 38 pounds.
- 48 Millet, per bushel, 50 pounds.
- 49 Millet, Japanese barnyard, per bushel, 35 pounds.
- 50 Oats, per bushel, 32 pounds.
- 51 Onions, per bushel, 57 pounds.
- 52 Onion sets, top, per bushel, 30 pounds.
- 53 Onion sets, bottom, per bushel, 32 pounds.
- 54 Orchard grass seed, per bushel, 14 pounds.
- 55 Osage orange seed, per bushel, 33 pounds.
- 56 Parsnips, per bushel, 50 pounds.
- 57 Peaches, per bushel, 48 pounds.
- 58 Peaches, dried, per bushel, 33 pounds.
- 59 Peanuts, green, per bushel, 22 pounds.
- 60 Peanuts, roasted, per bushel, 20 pounds.
- 61 Pears, per bushel, 58 pounds.
- 62 Peas, dried, per bushel, 60 pounds.
- 63 Peas, green in pod, per bushel, 32 pounds.
- 64 Popcorn, in the ear, per bushel, 70 pounds.
- 65 Popcorn, shelled, per bushel, 56 pounds.
- 66 Potatoes, Irish, per bushel, 60 pounds.
- 67 Potatoes, sweet, per bushel, 50 pounds.
- 68 Quinces, per bushel, 48 pounds.
- 69 Rape seed, per bushel, 50 pounds.
- 70 Red top seed, per bushel, 14 pounds.
- 71 Rough rice, per bushel, 45 pounds.
- 72 Rutabagas, per bushel, 50 pounds.
- 73 Rye meal, per bushel, 50 pounds.

- 74 Rye, per bushel, 56 pounds.
- 75 Salt, coarse, per bushel, 55 pounds.
- 76 Salt, fine, per bushel, 50 pounds.
- 77 Shorts, per bushel, 20 pounds.
- 78 Sorghum seed, per bushel, 50 pounds.
- 79 Spelt, per bushel, 40 pounds.
- 80 Spinach, per bushel, 12 pounds.
- 81 Sweet clover seed, unhulled, per bushel, 33 pounds.
- 82 Timothy seed, per bushel, 45 pounds.
- 83 Tomatoes, per bushel, 56 pounds.
- 84 Turnips, per bushel, 55 pounds.
- 85 Walnuts, per bushel, 50 pounds.
- 86 Wheat, per bushel, 60 pounds.
- 87 Whenever any of the following named articles are sold by the cubic yard
- 88 and the same are weighed, the following weights shall govern:
- 89 Crushed stone, 2,500 pounds, 1 cubic yard.
- 90 Bank sand, 2,500 pounds, 1 cubic yard.
- 91 Torpedo sand, 3,000 pounds, 1 cubic yard.
- 92 Gravel, 3,000 pounds, 1 cubic yard.

Sec. 35. Whoever, in buying any of the articles of property mentioned in

2 the preceding section, shall take any greater number of pounds thereof to the

3 bushel, barrel, or cubic yard or divisible merchantable quantity of a bushel, barrel

4 or cubic yard, or in selling any of said articles, shall give any less number of

5 pounds thereof to the bushel, barrel or cubic yard or divisible merchantable

6 quantity of a bushel, barrel or cubic yard than is allowed by said section, with

7 intent to gain an advantage thereby, except expressly authorized so to do by

8 special contract or agreement to that effect, shall be liable to the party injured

9 in double the amount of the property so wrongfully taken or not given and ten

10 dollars in addition thereto, to be recovered in any form of action in any court

11 of competent jurisdiction.

Sec. 36. Whenever any firewood shall be contracted for or sold or delivered, and when no special contract or agreement shall be made to the contrary, one hundred and twenty-eight cubic feet shall constitute a cord.

Whoever, in buying same, shall take any greater number of cubic feet thereof to the cord, or divisible merchantable quantity of a cord, or in selling same, shall give any less number of cubic feet to the cord or divisible merchantable quantity of a cord, with intent to gain an advantage thereby, except expressly authorized so to do by special contract or agreement to that effect, shall be liable to the party injured in the same manner as is provided in section 35 hereof.

Sec. 37. The Director of Trade and Commerce and each city inspector of weights and measures shall be entitled to receive and collect fees for the use of the State or city, as the case may be, for service at the following rates:

For inspecting and sealing scales of the capacity of 40,000 pounds and upwards, each	\$ 5.00
For inspecting and sealing scales of the capacity of 24,000 pounds, up to 40,000 pounds, each.....	2.50
For inspecting and sealing scales of the capacity of 6,000 pounds up to 24,000 pounds, each.....	1.50
For inspecting and sealing scales of the capacity of 2,500 pounds up to 6,000 pounds, each.....	.75
For inspecting and sealing scales of the capacity of 240 pounds up to 2,500 pounds, each.....	.50
For inspecting and sealing scales of the capacity of 2 pounds up to 240 pounds, each .....	.30
For inspecting and sealing Hopper scales, each	2.00
For inspecting and sealing two-bushel, one bushel and one-half bushel measures, each .....	.10
For inspecting and sealing any other dry measure, each.....	.10

20	For inspecting and sealing every automatic weighing machine, or every in-	
21	strument or device of a capacity of less than three tons used for weigh-	
22	ing or measuring any person or animal, for hire or reward, each.....	.75
23	For inspecting and sealing liquid measures of the capacity of one gallon	
24	and upwards, each.....	.15
25	For inspecting and sealing any other liquid measures, each.....	.10
26	For inspecting and sealing yard measures, each .....	.10
27	For inspecting and sealing any lineal measure, for each three feet.....	.10
28	For inspecting and sealing any tape line exceeding 50 feet in length, each.	.75
29	For inspecting and sealing any automatic machine for lineal measuring,	
30	each .....	.75
31	For inspecting and sealing any automatic pump used for measuring gas-	
32	oline, oils, etc., each.....	1.00
33	They shall also be entitled to, for the use of the State or city, as the case	
34	may be, a reasonable compensation for making such weights and measures con-	
35	form to the standards established by this Act; provided, however, that no	
36	charge shall be made by the Department of Trade and Commerce for inspecting	
37	and sealing any weights, measures, scales or beams which may belong to any	
38	city and which may be sent or brought to the Department of Trade and Com-	
39	merce for that purpose by the inspector of weights and measures of such city.	

Sec. 38. It shall be unlawful to sell or offer to sell any gasoline, naptha,
 2 kerosene, wood alcohol or other oils or liquids used in producing light or heat or
 3 generating gas or power by an measure other than that provided in Section 31
 4 hereof for liquids.

5 It shall be unlawful for any person, firm or corporation to use any auto-
 6 matic or mechanical pump or device for the purpose of measuring any liquid
 7 commodity to be sold or offered for sale unless such automatic or mechanical
 8 pump or device shall have been inspected and approved by the proper authority
 9 under this law. The owner or user of every automatic or mechanical pump or

10 device shall provide proper tested standard measures, and shall at least once
11 each day, and always before commencing to use a new supply of liquid, test the
12 accuracy of the pump or device in use. The Director of Trade and Commerce
13 is authorized to examine and inspect all automatic or mechanical devices used
14 for the purpose of measuring any liquid commodity to be sold or offered for
15 sale, and condemn for repairs or seize any such devices found to be inaccurate
16 or incorrect.

17 Any person, firm or corporation using any such automatic or mechanical
18 device without having obtained the certificate of approval as hereinbefore pro-
19 vided for, or any person using such automatic or mechanical device knowing the
20 same to be incorrect or defective, shall, upon conviction, be fined not less than
21 five dollars nor more than five hundred dollars.

Sec. 39. Any person who, by himself or by his servant or agent, or as the
2 servant or agen of another person, shall offer or expose for sale, sell, use in
3 buying or selling of any commodity or thing or for hire or award, or retain in
4 his possession a false weight or measure or weighing or measuring device or
5 any weight or measure or weighing or measuring device which has not been
6 sealed by the Director of Trade and Commerce, or by a city inspector of weights
7 and measures, within one year, or shall dispose of any condemned weight, meas-
8 ure, or weighing or measuring device contrary to law, or remove any tag placed
9 thereon by the Director of Trade and Commerce or by a city inspector of
10 weights and measures; or who shall sell or offer or expose for sale less than the
11 quantity he represents, or shall take or atmept to take more than the quantity
12 he represents, when, as the buyer, he furnishes the weight, measure, or weigh-
13 ing or measuring device by means of which the amount of commodity is deter-
14 mined; or who shall keep for the purpose of sale, offer or expose for sale, or
15 sell any commodity in a manner contrary to law; or who shall violate any pro-
16 vision of this Act for which a specific penalty has not been provided; or who
17 shall sell or offer for sale, or use or have in his possession for the purpose of

18 selling or using any device or instrument to be used to or calculated to falsify
19 any weight or measure, shall be guilty of a misdemeanor, and shall be punished
20 by a fine of not less than \$20 nor more than \$200, or by imprisonment for not
21 more than three months, or by both such fine and imprisonment, upon a first con-
22 viction, in any court of competent jurisdiction; and upon a second or subse-
23 quent conviction in any court of competent jurisdiction he shall be punished
24 by a fine or not less than \$50 nor more than \$500, or by imprisonment in the
25 county jail for not more than one year, or by both such fine and imprisonment.

Sec. 40. The word "person" as used in this Act shall be construed to
2 import both the plural and singular, as the case demands, and shall include cor-
3 porations, companies, societies and associations.

4 The words "weights, measures, or (and) weighing or (and) measuring de-
5 vices," as used in this Act, shall be construed to include all weights, scales,
6 beams, measures of every kind, instruments and mechanical devices for weigh-
7 ing or measuring, and any appliances and accessories connected with any or all
8 such instruments.

9 The words "sell" or "sale" as used in this Act, shall be construed to in-
10 clude barter and exchange.

Sec. 41. No person authorized by this Act to inspect weights, measures,
2 scales, beams or other measuring devices shall vend any weights, measures,
3 scales, weighing or measuring devices of any kind whatsoever to be used for
4 weighing or measuring, or offer or expose the same for sale, or be interested,
5 directly or indirectly, in the sale of the same.

Sec. 42. The Department of Trade and Commerce shall promulgate tables
2 of specifications and tolerance, for the guidance of the local sealers, or inspec-
3 tors of weights and measures, in conformity with those approved by the Na-
4 tional Bureau of Standards, to which all weights, scales, measures and weigh-
5 ing and measuring devices, used within the State shall conform.

Sec. 43. "An Act to revise the law in relation to weights and measures,"
2 approved June 27, 1913, in force July 1, 1913, and all Acts amendatory thereto,
3 are hereby repealed.



1 Adopted May 11, 1921.

AMENDMENT NO. 1.

Amend House Bill No. 687 in the printed bill, in Section 24, page 11, line 2,
2 by inserting after the word "label" the words "or wrapper"; also in line 4 of
3 said Section 24, by inserting before the words "the size of" the words "where
4 a label is used," and also in said line 4 of Section 24, cancel the word "to" and
5 substitute in lieu thereof the word "shall."

AMENDMENT NO. 2.

Amend printed House Bill No. 687, on page 10, in Section 21, by adding at
2 the end of said section the following:
3 " 'Package' as used in this section, does not include any container in which
4 are packed or contained packages of a smaller size of a commodity, but the
5 provisions of this section apply only to the container directly enclosing the com-
6 modity."



- 1 Offered by Committee on Municipalities, June 14, 1921.
- 2 Ordered printed.

AMENDMENTS TO HOUSE BILL NO. 687 IN SENATE.

AMENDMENT NO. 1.

Amend printed House Bill No. 687 in Senate by striking out the period
2 after the word "packages" in line 11 of section 19 on page 9 thereof, and in-
3 serting a comma in lieu of said period, and adding after said comma the fol-
4 lowing: "nor to proprietary or package medicines which are not sold or offered
5 for sale as of any specific quantity of the commodity."

AMENDMENT NO. 2.

Amend printed House Bill No. 687 in Senate by striking out section 24 of
2 said bill and inserting in lieu thereof the following:

Sec. 24. "All bread kept for the purpose of sale, offered or exposed for
2 sale, or sold, shall be sold by weight, and cities required by this Act to appoint
3 inspectors of weights and measures may enact and enforce ordinances regulat-
4 ing the same."

AMENDMENT NO. 3.

Amend the printed Bill by inserting, after the word "measures," in line
2 25 of Section 37 on page 21 thereof, the following: "not used for compounding
3 and manufacturing purposes."



- 1 Introduced by Committee on License and Miscellany, April 21, 1921.
- 2 Substitute for House Bills Nos. 9, 24, 26, 379, 495 and 582.
- 3 Read at large a first time, ordered printed and to a second reading.

A BILL

For an Act in relation to athletic exhibitions.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* The Governor shall appoint three per-
3 sons to constitute an athletic commission to be known as the State Athletic
4 Commission. One of said persons shall be appointed for a period of one year,
5 from and after the second Monday in January following his appointment, one
6 for a period of two years, from and after the second Monday in January, fol-
7 lowing his appointment, and one for a period of three years, from and after
8 the second Monday in January following his appointment, and upon the expi-
9 ration of the terms of such respective commissioners the Governor shall ap-
10 point their successors, each to serve for a term of three years, or until their
11 successors are appointed and qualified.

Sec. 2. The Governor shall appoint a secretary to the commission, whose
2 duty it shall be to keep a full and true record of all its proceedings, and keep

3 the books and records in the general offices of the commission, and to perform
4 such other duties as the commission may prescribe. The secretary shall hold
5 office for three years.

Sec. 3. The commission shall maintain offices for the transaction of its
2 business in the State Capitol, in the city of Springfield, Illinois, and may
3 maintain offices in any other city that the commission may designate. Two
4 members of said commission shall constitute a quorum for the transaction of
5 business.

Sec. 4. The said commission shall, within thirty days after its appoint-
2 ment, and on or before the first day of October of each year thereafter,
3 organize by appointing one member thereof as its chairman. The commission
4 may make such rules and regulations as it may deem expedient for the trans-
5 action of its business and conducting its hearings, and may, from time to
6 time, amend such rules and regulations. The commission is hereby empowered
7 to appoint such assistants and clerks as it may deem necessary for the proper
8 transaction of its business. The salaries of such employes shall be fixed by the
9 commission. The commissioners and their employes shall be reimbursed for
10 all actual and necessary traveling expenses and disbursements incurred by them
11 in the discharge of their official duties. The commission may also incur the
12 necessary expenses for office furniture, stationery, printing and other inci-
13 dental expenses. The commission shall make an annual report of all its pro-
14 ceedings and a list of the licenses granted hereunder, together with the names
15 of the persons, clubs, corporations or associations to whom such licenses have
16 been granted, which report shall be addressed to the Governor, and shall be
17 made on or before December 31st in each year, and the commission shall send
18 with such report, such recommendations as it may deem desirable.

Sec. 5. The salary of each commissioner shall be five thousand dollars
2 (\$5,000) annually, and the salary of the secretary shall be four thousand dol-

lars (\$4,000) annually, payable in accordance with the provisions of "An Act in relation to State finance," approved June 10, 1919, in force July 1, 1919.

Sec. 6. Boxing and sparring matches or sparring exhibitions may be held within this State by clubs, associations or corporations subject to the direction, management and control of the State Athletic Commission, which is hereby vested with the jurisdiction over all boxing and sparring matches and sparring exhibitions to be conducted within this State by any club, corporation or association. No boxing or sparring match or sparring exhibition shall be held or conducted within this State except under a license issued by the State Athletic Commission, in accordance with the provisions of this Act. Before conducting such match or exhibition, the club, corporation or association desiring to conduct the same, shall obtain a license from the State Athletic Commission. Any license so issued shall authorize the conducting of only one boxing or sparring match or sparring exhibition.

Any person or corporation, or any officer of any club or association, conducting a boxing or sparring match or sparring exhibition, without first obtaining a license as provided in this Act, is guilty of a misdemeanor, and shall be punished by a fine of not less than one thousand dollars (\$1,000) or more than ten thousand dollars (\$10,000).

Sec. 7. Application for a license to conduct a boxing or sparring match, or sparring exhibition, shall be made in writing and shall be addressed to and filed with the State Athletic Commission, and shall be verified by some officer of the club, corporation or association in whose behalf the application is made. The application shall, among other things, state the time and place at which the boxing or sparring match or exhibition is proposed to be held; the contestants who will participate in such match or exhibition; the seating capacity of the building or hall in which such match or exhibition is proposed to be held; the admission charge or charges which it is proposed to charge; the referee who will act at such match or exhibition and the amount of his fee or compen-

11 sation; the amount of compensation or percentage of the gate receipts which it
 12 is proposed to pay to the participants in such match or exhibition; the name
 13 and address of the club, corporation or association making such application, and
 14 the names and addresses of all its officers.

15 Any person who in swearing to such an application, makes or causes to be
 16 made therein, any statement which is knowingly and wilfully false, is guilty of
 17 perjury.

Sec. 8. The State Athletic Commission shall issue a license to conduct
 2 boxing or sparring matches or sparring exhibitions to any club, corporation or
 3 association which complies with the following conditions:

4 (a) Which shall file with the State Treasurer the bond provided for in
 5 Section 23 of this Act.

6 (b) Which shall have, prior to such application, obeyed every valid rule,
 7 regulation or order of the State Athletic Commission and shall not have been
 8 guilty of a violation of any provisions of this Act.

9 (c) Which does not have among its officers any person, who belonged to
 10 a club, corporation or association which has been guilty of a violation of this
 11 Act, or of any valid rule, regulation or order of the State Athletic Commission.

12 (d) Which shall have officers, all of whom are *bona fide* residents of the
 13 State of Illinois, having resided in the State one year prior to the issuing of
 14 such license.

15 The license, when issued, shall recite that the club, corporation or associa-
 16 tion to whom it is granted, has complied with the conditions of this section.
 17 The license shall not be transferable.

Sec. 9. No license shall be issued to any club, corporation or association
 2 which holds or owns a lease, option, permit or license, giving it the exclusive
 3 right to hold athletic exhibitions on any premises within this State.

Sec. 10. Any club, corporation or association to whom a license is issued
 2 shall not:

(a) Hold such match or exhibition at any other time or place; or

(b) Permit any other contestants or referee to participate therein; or

(c) Charge a greater rate or rates of admission; or

(d) Pay a greater fee, compensation or percentage to contestants or referee than was specified in the application made and filed prior to the issuance of such license.

Any corporation or any officer of any club or association, violating the provisions of this section, is guilty of a misdemeanor and shall be punished by a fine of not less than two hundred dollars (\$200.00) nor more than five hundred dollars (\$500.00).

Sec. 11. In case the State Athletic Commission refuses to grant a license, because of failure to comply with any or all of the conditions prescribed in Sections 8 or 9, the applicant shall, at its option, be entitled to a hearing, in the manner provided in Section 13 hereof. But, if the State Athletic Commission has, prior to such refusal after a hearing found, by a valid finding, that the applicant club, corporation or association has been guilty of disobeying any valid rule, regulation or order of said commission, or has been guilty of violating any of the provisions of this Act, such applicant shall not again be heard.

Sec. 12. In case any boxing match or sparring match or sparring exhibition has been conducted by any club, corporation or association licensed under this Act, the State Athletic Commission on its own motion may, or on the petition of any resident of the State of Illinois, shall, conduct a hearing to determine whether such club, corporation or association has disobeyed any valid rule or order of the State Athletic Commission, or has been guilty of a violation of any of the provisions of this Act.

Sec. 13. Any hearing by the commission shall be held at any of its offices, which the commission may designate, after at least ten days' notice in writing, addressed to the club, corporation or association affected, at its address, as stated in the last application filed with the commission. Such notice shall be

5 served by mailing the same, postage prepaid, by registered mail, to such club,
6 corporation or association at such address.

7 The commission, in conducting such hearing, shall not be bound by tech-
8 nical rules of evidence, but all evidence offered before the commission shall be
9 reduced to writing and shall, with the petition and exhibits, if any, and the find-
10 ings of the commission, be permanently preserved, and shall constitute the
11 record of the commission in such case.

12 Any club, corporation or association interested in such hearing, may be
13 represented by counsel and shall have the right to introduce evidence. The Attor-
14 ney General, at the request of the commission, shall assist in the conduct of
15 such hearing.

16 Every member of the State Athletic Commission shall have power to ad-
17 minister oaths and affirmations, certify to all official acts, issue subpoenas, com-
18 pel the attendance and testimony of witnesses and the production of papers,
19 books, accounts and documents. Any person who shall be served with a sub-
20 poena to appear and testify, or to produce books, papers, accounts or documents,
21 issued by the commission, or any member thereof, in the course of an inquiry
22 or hearing conducted under the provisions of this Act, and who shall refuse
23 and neglect to appear or to testify, or to produce books, papers, accounts and
24 documents relative to said hearing, as commanded in such subpoena, shall be
25 guilty of a misdemeanor.

26 The commission or any member thereof may, in any hearing before the
27 commission, cause the deposition of witnesses residing within or without the
28 State, to be taken in the manner prescribed by law for like depositions in civil
29 actions in the courts of this State.

30 All hearings shall be held before at least two of the members of said com-
31 mission, and the concurrence of at least two members of the commission shall
32 be necessary to any finding or order.

33 At the conclusion of such hearing, the commission shall enter an order find-
34 ing whether or not the club, corporation or association, concerning which such

35 hearing is held, has been guilty of a violation of any valid rule, regulation or
36 order of the commission, or has been guilty of a violation of any of the pro-
37 visions of this Act, or has failed to comply with any or all conditions of Sec-
38 tions 8 or 9, and shall specify the nature of the violation or failure to comply.

39 Such finding shall be the basis for a refusal or for the granting of a license
40 to such club, corporation or association, but such finding shall not be admissible
41 in evidence or be conclusive against such club, corporation or association or
42 any officer, member or stockholder thereof, in any criminal prosecution brought
43 for the violation of any of the provisions of this Act, nor shall such hearing
44 and finding be a bar to any criminal prosecution which may be brought for the
45 violation of any of the provisions of this Act.

Sec. 14. The State Athletic Commission shall have no power to issue any
2 license to any club, corporation or association to conduct boxing or sparring
3 match or sparring exhibition in any city, village or incorporated town the leg-
4 islative authority of which has by ordinance prohibited the holding of any box-
5 ing or sparring match or sparring exhibition.

Sec. 15. Any established or incorporated club, corporation or association
2 to which a license has been issued by the State Athletic Commission may con-
3 duct any boxing or sparring match or sparring exhibition in the clubhouse or
4 headquarters owned by it, or may, for the purpose of conducting any such
5 match or exhibition, secure the use of any public hall, auditorium or theatre
6 within the city in which such club, corporation or association is located.

Sec. 16. All the buildings or structures used, or intended to be used for the
2 purpose of this Act shall be properly ventilated and provided with fire exits
3 and fire escapes, if need be, and in all manner conform to the laws, ordinances
4 and regulations pertaining to the buildings in the city, town or village where
5 situated.

Sec. 17. No club, corporation or association shall:

(a) Hold or conduct any boxing or sparring match or sparring exhibition on Sunday; or

(b) Permit any person under the age of eighteen years to participate in any boxing or sparring match or sparring exhibition; or

(c) Permit any gambling or betting or wagering of any character on the result of, or any contingency in connection with any boxing or sparring match or sparring exhibition conducted by it, either before, after or during any such contest; or

(d) Conduct or give or participate in or permit any sham or fake boxing or sparring match or sparring exhibition.

Any corporation, or the officers of any unincorporated club or association which violates any of the provisions of this section, is guilty of a misdemeanor and shall, severally, be fined not less than one thousand dollars (\$1,000) nor more than ten thousand dollars (\$10,000).

Sec. 18. No person shall:

(a) Engage in any boxing or sparring match or sparring exhibition on Sunday; or

(b) Gamble, bet or wager on the result of or on any contingency connected with any boxing or sparring match or sparring exhibition; or

(c) Participate in any sham or fake boxing or sparring match or sparring exhibition, where such match or exhibition is conducted by any licensed club, corporation or association; or

(d) Being under the age of eighteen years, participate in any boxing or sparring match or sparring exhibition.

Any person violating any of the provisions of this section is guilty of a misdemeanor, and shall be fined not less than one hundred dollars (\$100.00), nor more than one thousand dollars (\$1,000).

If such person is a licensed contestant in this State, he shall, for the first offense, in addition to the fine, suffer a revocation of his license, and for a

16 second offense, be forever barred and disqualified from receiving a license or
17 participating in any boxing or sparring match or sparring exhibition within
18 this State.

Sec. 19. Each contestant shall be examined within two hours prior to en-
2 tering the ring, by a competent physician appointed by the commission, who has
3 been licensed and has practiced in the State of Illinois for not less than five
4 years. The physician shall, if he so finds the facts, certify in writing over
5 his signature that each contestant is physically fit to engage in such contest
6 and said physician shall be in attendance during said contest. Said physician
7 shall mail said report of examination to the commission within a period of
8 twenty-four hours after the contest. Blank forms of physicians' report shall be
9 furnished to the physicians, by the commission, and all questions on blank
10 forms must be answered in full. The physician shall be paid a fee of fifteen
11 dollars (\$15.00) by the club, corporation or association conducting the match
12 or exhibition. If either contestant is found by the examining physician not to
13 be physically fit to engage in such match or exhibition, the club, corporation or
14 association conducting the same shall immediately declare off and cancel such
15 match or exhibition and shall refund the admission charges paid, on presen-
16 tation of the tickets sold.

17 * No boxing or sparring match or sparring exhibition shall be of more than
18 ten rounds duration, and no one round of such exhibition shall be permitted
19 to extend for a longer period than three minutes.

20 There shall not be less than one minute intermission between each round.

21 Any contestant in any such boxing or sparring match or sparring exhibi-
22 tion weighing one hundred fifty-eight pounds or under, shall wear padded
23 gloves of standard make, weighing not less than five ounces. Any contestant
24 in any such boxing or sparring match or sparring exhibition weighing over
25 one hundred fifty-eight pounds, shall wear padded gloves of standard make,
26 weighing not less than six ounces. The gloves worn by each of the contestants
27 shall be equal in weight.

28 Any corporation or the officers of any unincorporated club or association
29 which holds any boxing or sparring match or sparring exhibition in violation
30 of the provisions of this section, is guilty of a misdemeanor, and shall be fined
31 not less than one thousand dollars (\$1,000) nor more than ten thousand dollars
32 (\$10,000).

33 Any physician making the physical examination prescribed in this section
34 who, knowingly, certifies falsely to the physical condition of any contestant, is
35 guilty of a misdemeanor, and shall be fined not less than five hundred dollars
36 (\$500.00) nor more than one thousand dollars (\$1,000).

Sec. 20. No decision shall be rendered in any contest held under the provi-
2 sions of this Act: *Provided, however,* that whenever amateur boxing or spar-
3 ring matches or exhibitions which are held under the auspices of the Young
4 Men's Christian Association or the Central Athletic Union, or any other duly
5 organized amateur athletic association, or under the supervision of the athletic
6 manager of any university, school, college, amateur gymnasium or public play
7 ground, or under the auspices of any organization of persons who were en-
8 gaged in the military or naval service of the United States during the years
9 1861, 1862, 1863, 1864, 1865, 1898, 1899, 1900, 1901, 1902, 1914, 1915, 1916, 1917,
10 1918 or 1919, and who were honorably discharged therefrom, a decision may be
11 given or rendered at such match or exhibition. Any such clubs, associations or
12 organizations shall not be required to pay the tax provided for in Section 23 of
13 this Act, on such matches or exhibitions.

14 An amateur match or exhibition is one in which the participants receive no
15 compensation, gift, emolument or percentage of the gate receipts, either di-
16 rectly or indirectly.

Sec. 21. No contestant shall be permitted to participate in any boxing or
2 sparring match or sparring exhibition unless duly registered and licensed with
3 the State Athletic Commission, which license must be renewed annually. The
4 license fee and the renewal fee shall be five dollars (\$5.00), paid at the time
5 of the application for the license or renewal.

6 Any person who desires to be registered and licensed as a contestant, shall
7 file his application, in writing, with the commission, which application shall,
8 among other things, state the name of the applicant, the date and place of his
9 birth, the place of his residence, and his employment, business or occupation,
10 if any. The application must be verified under oath of the applicant. Appli-
11 cation for renewal of license shall be in similar form.

12 Each application for license or for a renewal thereof, must be accompanied
13 by the certificate of a physician residing within this State, who has been licensed
14 and has practiced in this State for not less than five years, certifying that such
15 physician has made a thorough physical examination of the applicant, and that
16 the applicant is physically fit and qualified to participate in boxing or sparring
17 matches or sparring exhibitions.

Sec. 22. The commission shall, upon application, grant licenses to com-
2 petent referees, who shall be *bona fide* residents of the State of Illinois, hav-
3 ing resided in the State one year, and may revoke any such license, granted to
4 any referee, upon such cause as the commission may deem sufficient. Such
5 license must be renewed annually. No person shall be permitted to act as
6 referee in this State unless holding such license. The application for license
7 as a referee or renewal thereof, shall be accompanied by an annual fee, which
8 shall be twenty-five dollars (\$25.00). The commission shall appoint from
9 among such licensed referees, the referee for all contests held under the pro-
10 visions of this Act.

Sec. 23. Every club, corporation or association which may conduct any
2 match or exhibition shall, within twenty-four hours after the determination
3 thereof, furnish to the commission by mail, a written report, duly verified by
4 one of its officers, showing the number of tickets sold for such contest and the
5 amount of the gross proceeds thereof, and such other matters as the commis-
6 sion may prescribe, and shall also within the said time pay to the State Treas-
7 urer a tax of ten per centum of its total gross receipts from the sale of tickets

8 of admission to such match or exhibition, which tax shall be placed in the gen-
9 eral revenue fund. Before any license shall be granted to any club, corporation
10 or association to conduct, hold or give any boxing or sparring match or spar-
11 ring exhibition, such applicant therefor shall execute and file with the State
12 Treasurer a bond in the sum of five thousand dollars (\$5,000) to be approved
13 as to form and the sufficiency of the sureties thereon, by the State Treasurer,
14 payable to the People of the State of Illinois and conditioned for the payment
15 of the tax hereby imposed. Upon the filing and approval of such bond the
16 State Treasurer shall issue to such applicant, a certificate of such filing and
17 approval, which shall be by such applicant filed in the office of the commission
18 with its application for such license, and no license shall be issued until such
19 certificate shall have been filed.

Sec. 24. Whenever any such club, corporation or association shall fail to
2 make a report of any contest at the time prescribed by this Act, or whenever
3 any such report is unsatisfactory to the State Treasurer, he may examine or
4 cause to be examined the books and records of such club, corporation or asso-
5 ciation and subpoena and examine under oath its officers and other persons as
6 witnesses for the purpose of determining the total amount of its gross receipts
7 for any contests and the amount of tax due pursuant to the provisions of this
8 Act, which tax he may upon and as the result of such examination, fix and de-
9 termine. In case of the default in the payment of any tax so ascertained to
10 be due, together with the expenses incurred in making such examinations, for a
11 period of twenty days after notice to such delinquent club, corporation or
12 association of the amount at which the same may be fixed by the State Treas-
13 urer, such delinquent shall be dissualified from receiving any new license and
14 the Attorney General shall institute suit upon the bond filed pursuant to Sec-
15 tion 23, to recover the tax imposed by this Act.

Sec. 25. The commission shall appoint official representatives designated
2 as inspectors, each of whom shall receive from the commission a card author-

izing him to act as such inspector, wherever the commission may designate him to act. An inspector shall be present at all boxing or sparring matches or sparring exhibitions, and see that the rules of the commission, and the provisions of this Act are strictly observed, and shall also be present at the counting up of the gross receipts, and shall immediately mail to the commission the official box office statement received by him from the officers of the club, corporation or association.

Sec. 26. All fees received by the commission under the provisions of this Act shall be turned over to the State Treasurer within ten days and placed in the general revenue fund.

Sec. 27. The provisions of Sections 231, 232, 233, 234, 235 and 236 of an Act entitled, "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, shall not apply to any boxing, sparring match or sparring exhibition conducted, held or given by any club, corporation or association duly licensed in accordance with the provisions of this Act.



1 Offered by Mr. Dailey, June 15, 1921.

2 Ordered printed.

AMENDMENT NO. 1.

Amend printed House Bill No. 688 in Senate, on page 1, in Section 1, line

2 2, after the enacting clause, by inserting the following words and figures:

3 "Subject to the referendum provided in Section 28 of this Act".

AMENDMENT NO. 2.

Amend printed House Bill No. 688 in Senate, on page 13, at the end of and

2 following Section 27, by adding a section to read as follows:

"Sec. 28. This Act shall be submitted to the people of the State at the gen-

2 eral election to be held on Tuesday next after the first Monday of November,

3 1922, on a separate ballot to be in substantially the following form:

STATE ATHLETIC COMMISSION BALLOT.

Shall an Act of the General Assembly entitled 'An Act in relation to athletic exhibitions,' providing for a State commission for the regulation of boxing or sparring matches or exhibitions, go into effect and be in force?	YES	
	NO	

4 This question shall be submitted at such general election and returns

5 made at the same time and in the same manner as in the case of the election of

6 State officers and in accordance, as near as may be, with the provisions of the

7 general election laws of this State.

8 The Secretary of State is directed to cause publication of this Act to be
9 made once each week for three months, at least before the vote of the people
10 shall be taken upon this Act, in at least two daily newspapers, one published in
11 the city of Springfield and one in the city of Chicago.

12 The Governor shall cause proclamation to be made of the result of such
13 vote in the same manner as is provided for proposed amendments to the con-
14 stitution. If a majority of the electors voting on said proposition vote in favor
15 of this Act taking effect, it shall then be in force, but if a majority of the elec-
16 tors voting on the proposition vote against this Act going into effect, it shall be
17 null and void."

18 Pending discussion, on motion of Mr. Dailey, further consideration of
19 House Bill No. 688 and amendments thereto, was postponed until Thursday,
20 June 16, 1921.



- 1 Introduced by Mr. Devine, April 21, 1921.
- 2 Read by title, ordered printed and referred to Committee on Election.

A BILL

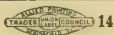
For an Act to add Section 236a to Division I of “An Act to revise the law in relation to criminal jurisprudence,” approved March 27, 1874, in force July 1, 1874, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: Section 236a is added to Division I of “An Act to revise the law in relation to jurisprudence,” approved March 27, 1874, in force July 1, 1874, as amended, the added section to read as follows:*

Sec. 236a. *It is unlawful for any officer or employe of the State, or of any county, township, city, town, village, or other political subdivision of the State, to devote any part or the whole of the office or working hours of his employment as such office or employe, to aiding or promoting the nomination or election of any candidate for public office, or the defeat of any such candidate, or to promote the success or defeat of any political party or principle or any proposition at any primary or other election. This paragraph does not apply to attendance at the polls for the purpose of voting.*

9 *It is unlawful for any person to authorize the payment of the compensation*
10 *of any such officer or employe for time so spent, or to issue warrants therefor,*
11 *or to pay moneys out of any public funds in payment thereof.*

12 *Any person who violates any provision of this section shall be fined not less*
13 *than \$25 nor more than \$500, or imprisoned in the county jail for a period not*
14 *exceeding six months, or both.*



- 1 Introduced by Mr. Ben. L. Smith, April 21, 1921.
- 2 Read by title, ordered printed and referred to Committee on Education.

A BILL

For an Act in relation to uniform text books, and to repeal an Act therein named.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* There is created the Illinois Textbook
3 Commission to consist of five members, two of whom shall be the State Superin-
4 tendent of Public Instruction, who shall be chairman, and the Director of the
5 Department of Registration and Education, both of whom shall serve during
6 the respective terms for which they have been elected or appointed, as the case
7 may be. The Governor, within 90 days after the going into effect of this Act,
8 shall appoint three members, one of whom shall be, at the time of his appoint-
9 ment, a county superintendent of schools, one shall be at the time of his appoint-
10 ment a city superintendent of schools, and another shall be a president of a nor-
11 mal school at the time of his appointment, all of whom shall hold office until the
12 second Monday of January, 1925. Thereafter, the terms of the members ap-
13 pointed by the Governor shall be for a period of four years and until their
14 successors are appointed.

15 The members of this commission shall be reimbursed for their actual and
16 necessary expenses incurred in the discharge of their duties. The appointive
17 members shall be paid ten dollars (\$10.00) per day for the time actually em-
18 ployed in their duties.

 Sec. 2. It is the duty of the Commission to select and adopt uniform text
2 books for use in the public elementary schools of this State and to notify the
3 county superintendent of schools in the several counties of the State and the
4 boards of education in cities, of such election and adoption, and to designate
5 the grades for which such text books shall be used. This Commission shall
6 have the power to make reasonable rules and regulations for the carrying out
7 of these provisions, provided the Commission shall not postpone adoption of
8 uniform texts in at least two subjects later than July 1, 1922.

 Sec. 3. The adoption of text books shall be for a period of five (5) years.
2 If the Commission decides by a four-fifths vote that any text books are unsatis-
3 factory, it may discontinue the use of such text books and substitute therefore
4 other text books: Provided, however, not more than two (2) text books may be
5 changed in any one year.

 Sec. 4. It is the duty of the several county superintendents of schools and
2 the boards of education in cities, upon notification of the selection and adoption
3 of any text book or text books, by the Commission, to adopt and use such text
4 books, in and for the grades designated by the Commission, in all public ele-
5 mentary schools.

 Sec. 5. Any director of a school district or member of a board of education
2 or any teacher, principal or superintendent who adopts, uses or permits to be
3 used, in any public elementary school in this State, any other text books than
4 those adopted by the Commission, as provided in this Act, except
5 as reference or supplementary books, is guilty of a misdemeanor and
6 shall be fined in any sum not less than twenty-five dollars nor more than one

7 hundred dollars, or by imprisonment for a period of not less than ten days nor
8 more than ninety days, or both such fine and imprisonment.

Sec. 6. "An Act to regulate the adoption, sale and distribution of school
2 text books," approved June 27, 1917, in force July 1, 1917, is repealed.



1 Introduced by Mr. Watson, April 21, 1921.

2 Read by title, ordered printed and referred to Committee on Farm Drainage.

A BILL

For an Act to add Section 37a to "An Act to provide for the construction, reparation and protection of drains, ditches and levees, across the lands of others, for agricultural, sanitary and mining purposes, and to provide for the organization of drainage districts," approved and in force May 29, 1879, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Section 37a is added to "An Act to provide for the construction, reparation and protection of drains, ditches and levees, across the lands of others, for agricultural, sanitary and mining purposes, and to provide for the organization of drainage districts," approved and in force May 29, 1879, as amended, this section to read as follows:

Sec. 37a. *It shall be the duty of the drainage commissioners of any district organized under this Act at least once in every two years, to dig or clean out all drains and ditches made by the district to their original depth. In order to secure funds for this purpose the commissioners are authorized to levy an assessment against all the lands within the district. The assessment shall be*

6 levied against such lands in the same proportion in which the lands were as-
7 sessed under the original assessment roll for the construction of the drains and
8 ditches of the district. This assessment, if any assessment is necessary for
9 such purpose, shall be levied by the commissioners without the approval of a
10 court or jury but the assessment shall in no case be for an amount which will
11 make the assessment in any year for keeping the drains, ditches and levees of
12 the district in repair of an amount greater than would be produced by an assess-
13 ment of thirty cents per acre on all lands within the district.. Any assessment
14 made by the commissioners under the authority given in this section, shall
15 have the same force and effect and be collected in the same manner as original
16 assessments.



- 1 Introduced by Mr. Holten, April 26, 1921.
- 2 Read by title, ordered printed, and referred to Committee on Education.

A BILL

For an Act to amend Section 22 of "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Section 22 of "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909, as amended, is amended to read as follows:

Sec. 22. The election of trustees of schools shall be held, in townships whose boundaries do not coincide with those of towns, on the second Saturday of April, annually. In townships whose boundaries do coincide with those of towns as established under the township organization laws, the trustee or trustees shall be elected at the same time and in the same manner as town officers. In townships in which no election for school trustees has heretofore been held, or in townships in which from any cause there are no trustees of schools, or in case of a vacancy or vacancies, the election of trustee or trustees of schools may be held on any Saturday. No person shall hereafter be nominated for the

10 office of trustee of schools, in townships containing 20,000 inhabitants or over,
11 except by petition signed by at least twenty-five (25) legal voters of the school
12 township in which he is seeking nomination and election filed ten (10) days prior
13 to such election with the township treasurer, or, in case of a first election, with
14 the county clerk. The township treasurer shall, in townships containing 20,000
15 inhabitants or over furnish all ballots to be used at the election for trustees, and
16 the name of no candidate shall be printed on such ballots except a petition shall
17 be filed in his behalf as herein provided. *But if such township lies wholly or*
18 *partly within the limits of a city, town, or village having a Board of Election*
19 *Commissioners which is directed by law to take charge of and make provisions*
20 *for elections held in such city, town, or village, or any part thereof, the township*
21 *treasurer shall certify the nominations of school trustees to such Board of Elec-*
22 *tion Commissioners, and the Board of Election Commissioners shall furnish the*
23 *ballots necessary for the election in that territory over which it has jurisdiction.*



- 1 Introduced by Mr. Lager, April 26, 1921.
- 2 Read by title, ordered printed, and referred to Committee on Fish and Game.

A BILL

For an Act providing for the regulation of roving dogs tracking, killing or eating of a rabbit or other wild animals, game birds or other wild birds during certain months of each year.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* If any person shall discover any dog or dogs, the same being without collars bearing a duly authorized county, city or village license tag, pursuing or following upon the track of or killing, or eating any rabbit or other wild animal, or following upon the track of, or killing, or eating, or disturbing the nest of any game bird or other wild bird, during the months of April, May, June, July or August of each year, such person is authorized immediately to pursue and kill such dog, or dogs, provided such dog or dogs are not at the time upon the property of the owner or keeper thereof.

Sec. 2. Any dog wearing a collar bearing a duly authorized county, city or village license tag, found pursuing upon the track of, or killing, or eating any rabbit, or other wild animal, or following upon the track of, or killing, or eating,

4 or disturbing the nest of game bird or other wild bird during the month of
5 April, May, June, July or August of each year, may be killed by any person after
6 notice in writing from that particular person has been given to the owner, or
7 reputed owner, or person in control of such dog to the effect that the dog in
8 question is in the habit of destroying, or pursuing, or following upon the track
9 of rabbits or other wild animals, or game or wild birds contrary to the provi-
10 sions of this section.

Sec. 3. Any person who shall knowingly or negligently permit his dog or
2 dogs under his control, to pursue, follow upon the track of, kill or eat any rabbit
3 or other wild animals, or follow upon the track of, kill, eat or disturb the nest of
4 any game bird or other wild bird, during the months of April, May, June, July
5 or August of each year, off land he may own or control, after notice is given as
6 provided in Section 2, shall be liable to a penalty of ten (\$10) dollars for each
7 day such rabbits or other wild animals, game or wild birds may be pursued in
8 violation of this section, and an additional five (\$5.00) dollars for each rabbit or
9 other wild animal, game bird or wild bird, killed by such dog pursuing the same.

Sec. 4. Dogs, when accompanied by and under the control of their masters,
2 may be used for squirrel hunting during the open season, and may be trained on
3 any wild game birds, game animals, or fur-bearing animals during the month of
4 October, provided that the person or persons accompanying or in charge of such
5 dogs has no firearms, and no injury is inflicted on such game birds, game or fur-
6 bearing animals or the same are not caught.

Sec. 5. It shall be the duty of the Division of Game and Fish of the State of
2 Illinois, and all employees thereof, all sheriffs, deputy sheriffs, constables and
3 other police officers to assist in the enforcement of this Act.



1 Introduced by Mr. LaPorte, April 26, 1921.

2 Read by title, ordered printed, and referred to Committee on Efficiency and
Economy.

A BILL

For an Act to amend Sections 1, 2, 3, 4, 9, 10, 11 and 12 of "An Act to revise the law
in relation to the State library," approved February 25, 1874, in force July 1,
1874, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Sections 1, 2, 3, 4, 9, 10, 11 and 12 of "An
3 Act to revise the law in relation to the State library," approved February 25,
4 1874, in force July 1, 1874, as amended, are amended to read as follows:

Sec. 1. The Secretary of State shall be librarian *of the State library, and*
2 *shall have te direction and control thereof. He may make and enforce* such rules
3 and regulations *in relation to* the care, arrangement and use of books, maps,
4 charts, papers, furniture and other things belonging to the State library as *he*
5 may deem proper.

Sec. 2. *He shall establish in the State library a General Library Division,*
2 *a Library Extension Division, an Archives Division, and such other divisions as*

3 *he may deem necessary or advisable. The heads of all divisions in the State*
 4 *library shall be exempt from the provisions of any civil service law, now or here-*
 5 *after in force.*

Sec. 3. The Governor, Secretary of State, *the* Superintendent of Public
 2 Instruction, and two other persons to be appointed by the Governor, shall
 3 constitute a board of *State library* commissioners to make recommendations
 4 concerning the management of the State library. The Governor shall be presi-
 5 dent of such board.

Sec. 4. The librarian shall prepare a complete catalog of the library, and
 2 number the books therein.

Sec. 9. All fines and forfeitures accruing under and by virtue of this Act, or
 2 for the violation of any of the rules adopted by the *librarian*, shall be recoverable
 3 in the name of the People of the State of Illinois by *an* action of debt before any
 4 justice of the peace or court having jurisdiction of the same. In all such trials,
 5 the entries of the librarian, made as hereinbefore prescribed, shall be evidence of
 6 the delivery of the book and of the date of such delivery; and it shall be his duty
 7 to carry the provisions of this Act into effect, and to sue for all injuries done to
 8 the library, and for all penalties under this Act.

Sec. 10. The Illinois Library Extension Commission *is hereby abolished.*
 2 *All powers and duties heretofore exercised by the Illinois Library Extension*
 3 *Commission, shall be vested in the State Librarian. All books, magazines, peri-*
 4 *odicals, furniture and other equipment belonging to such commission shall be*
 5 *transferred to the State library.*

Sec. 11. The *librarian* shall give advice and information to the librarian or
 2 trustees of any existing public library or to any person or community interested
 3 in starting a new public library, concerning the organization, maintenance or
 4 administration of said library, and *he* shall appoint a library organizer, one of
 5 whose duties shall be to furnish such advice and information. Such library or-

6 ganizer shall keep informed of the condition, scope and methods of work of the
7 . various public libraries of the State, visiting the same as occasion may require,
8 shall assist as far as practicable in promoting and starting new libraries, and at
9 the end of each fiscal year shall make a report of the general library conditions
10 in the State to the *librarian*.

Sec. 12. The *librarian* shall operate traveling libraries specially given or
2 bought for such purpose, and loan such libraries to any library in the State, or to
3 any community or organization not yet having an established library, under such
4 conditions and regulations as *he* shall prescribe. Said *librarian* shall, from time
5 to time, send out and distribute such books throughout the State, and at suitable
6 intervals change such distributions, in such manner as to secure to the greatest
7 practicable degree the use and enjoyment of such books to the people of the
8 entire State. The *librarian* may also conduct a clearing house for periodicals
9 for free gift to local libraries, and perform such other public service as may
10 seem to *him* for the best interests of the State.





- 1 Introduced by Mr. MacNeil, April 26, 1921.
- 2 Read by title, ordered printed and referred to Committee on Efficiency and Economy.

A BILL

For an Act to amend an Act entitled, "An Act to revise the law in relation to the Auditor of Public Accounts," approved April 25, 1873. In force July 1, 1873, by adding Sections 22 and 23 thereto.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: That an Act entitled, "An Act to revise the law in relation to the Auditor of Public Accounts," approved April 25, 1873, in force July 1, 1873, is amended by adding thereto Sections 22 and 23 to read as follows:*

Sec. 22. *It shall be the duty of the Auditor of Public Accounts, on or before the first day of February in each year, to make a report to the Governor, giving a list of the persons, firms or corporations receiving money from the State of Illinois for the year preceding ending with December 31, and shall detail in such report by what authority each of said persons, firms or corporations were appointed or employed or contracted with, by reason of which said moneys were*

7 allowed, and paid. Said report shall also contain the amount of salary, wages
8 or emoluments or compensation paid to each person, firm or corporation, and if
9 for personal services, the nature of the duties performed, the time employed, and
10 if for material, supplies or any other thing or matter furnished to the State,
11 the amount paid and by whom and under what authority the amount so paid was
12 contracted for. Where persons are employed, appointed or receive emoluments,
13 each name shall be given under classification by counties, from which they were
14 appointed or designated or employed or resided at the time of entering upon their
15 duties, with the total amount paid to each of them for the year or less period of
16 their services rendered prior to date of said report, with the detail of statement
17 in parallel columns as set forth herein, opposite their said name, and shall include
18 post office address of the person or firm and said Auditor shall cause said report
19 to be printed and well bound in book form and shall mail a copy thereof to each
20 State and county officer of the State of Illinois, all judges of the courts of Illinois
21 and shall print 1,000 other copies thereof and furnished by him free of cost, to
22 citizens of the State of Illinois, making written request for the same.



- 1 Introduced by Mr. Rutshaw, April 26, 1921.
- 2 Read by title, ordered printed, and referred to Committee on Judiciary.

A BILL

For an Act to amend Section 16 of an Act entitled, "An Act in relation to motor vehicles and to repeal a certain Act therein named," approved June 30, 1919, in force January 1, 1920, and to add thereto a new section to be known as Section 16a.



SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 16 of an Act entitled, "An Act in
3 relation to motor vehicles and to repeal a certain Act therein named," approved
4 June 30, 1919, in force January 1, 1920, is amended, and there is added to said
5 Act a new section to be known as Section 16a, which said section as amended and
6 which said new section shall read as follows:

Sec. 16. Every motor vehicle, except a commercial motor vehicle as herein-
2 after provided, or a motor cycle, driven upon the public highways of the State
3 during the period from one-half hour after sunset to one-half hour before sunrise,
4 and whenever fog renders it impossible to see at least two hundred feet ahead of
5 such motor vehicle, shall display, when running, at least two lighted lamps on

6 the forward part of such vehicle, one on each side and approximately of equal
7 candle-power; and every motor cycle so operated shall display at least one light
8 on the forward part thereof, which light or lights shall in clear weather be visible
9 not less than two hundred (200) feet in the direction in which such vehicle is pro-
10 ceeding. Every motor vehicle so operated shall display a red light from behind,
11 and a white light shall be so arranged as to illuminate a rear number plate, so
12 that the numbers on said plate shall be plainly legible and intelligible at a dis-
13 tance of fifty (50) feet. The headlights required on any commercial motor vehicle
14 of two tons carrying capacity or over, which is so governed, mechanically con-
15 structed or controlled that it cannot exceed a speed of fifteen miles per hour,
16 shall be visible at least two hundred feet in the direction in which said vehicle is
17 proceeding; such lights shall be sufficient to reveal any person, vehicle or sub-
18 stantial object on the road straight ahead for a distance not less than one hun-
19 dred feet and shall comply in all other respects with the requirements of this
20 section, as hereinafter provided. No headlights shall be used on any motor
21 vehicle upon the highways except after the installation of a device to prevent
22 glare, which has been certified and approved in accordance with the provisions
23 of Section 16a, which device shall be applied and adjusted in accordance with the
24 requirements of the certificate of approval. No such certificate of approval of
25 any device shall be issued by said Secretary of State under such device, by
26 actual test, conducted under his direction, complies with the following require-
27 ments for lights. Whenever there is not sufficient light within the limits of the
28 traveled portion of the highway to make all vehicles, persons or substantial
29 objects clearly visible within a distance of at least two hundred feet, the forward
30 lights which a motor vehicle, except a commercial motor vehicle as hereinbefore
31 provided, is required to display, shall, when the vehicle is in motion, throw suffi-
32 cient light ahead to show any person, vehicle or substantial object upon the
33 roadway straight ahead of the motor vehicle for a distance of at least two hundred
34 feet. Any light thrown directly ahead or sidewise shall be so arranged that no
35 dazzling rays or beams of reflected light from it or from any reflector shall at any

time be more than three and one-half feet above the ground on a level road at a distance of seventy-five feet ahead of such vehicle, and such light shall be sufficient to enable the operator of the motor vehicle to see any person, vehicle or substantial object upon the roadway or at the side of the road within ten feet of each side of the motor vehicle. No lamp or light prescribed in this section shall be more than thirty-two candle-power. No spotlight shall be used when another approaching vehicle is in sight, except when projecting its rays directly on the ground at a distance not exceeding thirty feet in front of the vehicle using such spotlight and to the right of the center of the highway. During the period from one hour after sunset to sunrise every motor bicycle or motor vehicle which is standing on any road, highway or street, shall display a light on the front and at the rear of the same.

Sec. 16a. Any person may submit to the Secretary of State a device for controlling the front lights of motor vehicles, together with a request that such device be tested as prescribed by this section. Upon payment to the Secretary of State of a fee of fifty dollars (\$50), the Secretary of State shall, after notice to the manufacturer thereof, submit the device to the United States Bureau of Standards or to any duly qualified testing laboratory not interested directly or indirectly in any lamps or headlighting apparatus or to a similarly disinterested, qualified, technical expert or experts from the physical laboratory of a university or technical school within the State of Illinois, or to the University of Illinois, with a request that such device be tested as to its compliance with the provisions of this section. Upon notice from such bureau, laboratory or technical expert or experts that such test has been made and that such device when properly applied substantially complies with the provisions of this section and suggesting the maximum candle-power to be used therewith, the Secretary of State shall issue a certificate to the applicant describing the device and certifying that such test has been made and that the device when so applied complies with the provisions of this section. The expense of such test shall be paid from the fee collected from the applicant.

19 These tests shall be made in accordance with the following specifications:

20 (1) Any pair of head lamps under the conditions of use must produce a
21 light which, when measured on a level surface on which the vehicle stands at a
22 distance of two hundred (200) feet directly in front of the car and at some point
23 between the said level surface and a point on a level with the center of the lamps
24 is not less than forty-eight hundred (4800) apparent candle-power.

25 (2) Any pair of head lamps under the conditions of use shall produce light
26 which, when measured at a distance of one hundred (100) feet directly in front
27 of the car, and at a height of sixty (60) inches above the level surface, on which
28 the vehicle stands, does not exceed twenty-four hundred (2400) apparent candle-
29 power, nor shall this value be exceeded at a greater height than sixty (60)
30 inches.

31 (3) Any pair of head lamps under the conditions of use shall produce a
32 light which, when measured at a distance of one hundred (100) feet ahead of the
33 car, and seven (7) feet or more to the left of the axis of the same, and at a
34 height sixty (60) inches or more above the level surface, on which the vehicle
35 stands, does not exceed eight hundred (800) apparent candle-power.

36 (4) Any pair of head lamps under the conditions of use shall produce a
37 light which, when measured on a level surface, on which the vehicle stands, at a
38 distance of one hundred (100) feet ahead of the car and at some point between
39 the said level surface and a point on a level with the centers of the lamps, and
40 seven (7) feet to the right of the axis of the car, is not less than twelve hundred
41 (1200) apparent candle-power.

42 In order to determine whether any particular device conforms to these re-
43 quirements, it shall be subjected to laboratory tests according to the following
44 specifications:

45 (1) Two pairs of samples of the device submitted shall be subjected to
46 test. In the case of headlight glasses, the sample shall be of nine and one-fourth
47 ($9\frac{1}{4}$) inch diameter when practicable.

(2) The reflectors used in connection with the laboratory tests shall be of standard high grade manufacture of one and one-fourth (1.25) inch focal length, with clean and highly polished surfaces, and as nearly truly paraboloidal in form as practicable, and as approved for this purpose by the United States Bureau of Standards.

(3) The incandescent lamps used in connection with the laboratory test shall be of standard high grade manufacture and as approved for this purpose by the United States Bureau of Standards.

(4) The manufacturer of a device shall be given due notice of the date and place of test. Manufacturers' representatives present at the test shall be privileged to adjust their devices in any way which represents an ordinary and legitimate adjustment, including tilting the lamps or reflectors, which can be carried out by purchasers of the device, or such adjustment may be made by the laboratory expert acting on the instructions of the manufacturer. The character of the adjustments so made shall be carefully noted and stated in the report as manufacturer's adjustment.

The test shall be as follows:

Test 1. Four-point test of pairs of samples.

A pair of testing reflectors, mounted similarly to the head lamps on a car, shall be set up in a dark room at a distance of not less than (60) feet nor more than one hundred (100) feet from a vertical white screen. If a testing distance of one hundred (100) feet is taken, the reflectors shall be set twenty-eight (28) inches apart from center to center, and if a shorter testing distance is taken, the distance between reflectors shall be proportionately reduced. The axes of the lamps shall be parallel and horizontal, or as tilted in accordance with the manufacturer's adjustment. The intensity of the combined light shall then be measured with each pair of samples in turn, with the reflectors fitted with a pair of each of the following types of incandescent lamps, in turn:

(1) Vacuum type, 6 to 8 volts, 15 stated candle-power, G-12 bulb.

(2) Gas filled type, 6 to 8 volts, 21 stated candle-power, G-12 bulb.

78 The lamps shall be adjusted to give their rated candle-power. Measure-
79 ments shall be made at the following points at the surface of the screen:

80 A. In the median vertical plane parallel to the lamp axes, on a level with the
81 lamps.

82 B. In the same plane one degree of arc below the level of the lamp.

83 C. In the same plane one degree of arc above the level of the lamps.

84 D. Four degrees of arc to the left of this plane and one degree of arc above
85 the level.

86 E. Four degrees of arc to the right of this plane, and on a level with the
87 lamps.

88 F. Four degrees of arc to the right of this plane and two degrees of arc
89 below the level of the lamps.

90 In an acceptable device both pairs of samples shall conform to the following
91 specifications for observed candle-power:

92 Points A and B. At at least one of these points the apparent candle-power
93 shall not be less than forty-eight hundred (4800).

94 Point C. The apparent candle-power shall not exceed twenty-four (2400).

95 Point D. The apparent candle-power shall not exceed eight hundred (800).

96 Points E and F. At at least one of these points, or at some point between
97 them, the apparent candle-power shall not be less than twelve hundred (1200).

98 *Provided, however,* that if the test indicates that a device which is unaccept-
99 able with either of the test lamps will come within the specifications with lamps of
100 another candle-power or of other types the device may be passed with corre-
101 ponding limitations as to the incandescent lamp to be used in connection with it.

102 Test 2. Complete test of single sample.

103 A single sample taken as an average representative of the device as manufac-
104 tured, shall be submitted to a complete test with a vacuum incandescent lamp of
105 fifteen (15) candle-power 6 to 8 volt rating in a G-12 bulb. This test shall show
106 its light distribution characteristics by actual measurements made according to
107 recognized and exact methods.

108 One pair of samples submitted shall be retained by the testing laboratory for
109 purpose of future reference and as samples of construction, and the other pair
110 shall be returned to the office of the Secretary of State.

111 The report of the tests shall be rendered in duplicate to the Secretary of
112 State, and shall be signed or initialled not only by the expert making the test,
113 but also by an executive officer of the institution making a test. It shall include
114 a statement by the testing laboratory as to whether the device when properly
115 applied substantially complies with this Act, and shall suggest the maximum
116 candle-power to be used with same, and the other conditions necessary in the
117 operation of the device, in such a way that it will comply with the requirements
118 of the specifications herein.



- 1 Introduced by Mr. Williston, April 26, 1921.
- 2 Read by title, ordered printed, and referred to Committee on Revenue.

A BILL

For an Act to amend Section 227 of "An Act for the assessment of property and for the levy and collection of taxes," approved March 30, 1872, in force July 1, 1872, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 227 of "An Act for the assess-
3 ment of property and for the levy and collection of taxes," approved March 30,
4 1872, in force July 1, 1872, as amended, is amended to read as follows:

Sec. 227. If any person shall desire to redeem or purchase any tract of
2 land or lot forfeited to the State, he shall apply to the county clerk, who shall
3 issue his order to the county collector, directing him to receive from said per-
4 son the amount due on said tract or lot, which shall in no case be less than ten
5 per cent on all taxes heretofore forfeited, and twenty-five per cent on all taxes
6 hereafter levied and forfeited, in addition to the tax, special assessments, inter-
7 est and printers' fees due thereon, particularly describing the property and
8 setting forth the amount due; and upon presentation of said order to the county

9 collector, he shall receive said amount and give the person duplicate receipts
10 therefor, setting forth a description of the property and the amount received—
11 one of which shall be countersigned by the county clerk, and when so counter-
12 signed, shall be evidence of the redemption or sale of the property therein de-
13 scribed, as the case may be, but no such receipt shall be valid until it is counter-
14 signed by the county clerk. The other receipt shall be filed by the county clerk
15 in his office, and said clerk shall make a proper entry of the redemption or sale
16 of the property on the books in his office and charge the amount of the redemp-
17 tion or sale money to the county collector. *The penalties collected shall be*
18 *paid over to the officers of the State, county, municipalities, or other taxing au-*
19 *thorities interested, in proportion to the amount collected for each.* In cases of
20 sales, the collector and clerk shall make the receipt in the form of a certificate
21 of purchase. Property purchased under this section shall be subject to redemp-
22 tion, notice, etc., the same as if sold at regular public tax sale.



- 1 Introduced by Mr. Young, April 26, 1921.
- 2 Read by title, ordered printed and referred to Committee on Revenue.

A BILL

For an Act to amend Section 244 of "An Act for the assessment of property and for the levy and collection of taxes," approved March 30, 1872, in force July 1, 1872, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* The county collector shall report and
3 pay over the amount of tax and special assessments, due to towns, districts,
4 cities, villages, corporations and persons, collected by him on delinquent prop-
5 erty, at least once in every ten days, when demanded by the proper authorities
6 or persons, *and in the case of redemptions from forfeitures, the county col-*
7 *lector shall report and pay over the amount collected at least once each month,*
8 *such payments to be made not later than the fifteenth day of the month follow-*
9 *ing such redemption.*



- 1 Introduced by Mr. Young, April 26, 1921.
- 2 Read by title, ordered printed and referred to Committee on Revenue.

A BILL

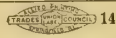
For an Act to amend section 224 of an Act entitled, "An Act for the assessment of property and for the levy and collection of taxes," approved March 30, 1872, in force July 1, 1872, as subsequently amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That section 224 of an Act entitled, "An
3 Act for the assessment of property and for the levy and collection of taxes,"
4 approved March 30, 1872, in force July 1, 1872, as subsequently amended, be and
5 the same is hereby further amended to read as follows:

§ 224. Deeds executed by the county clerk as aforesaid shall be prima facie
2 evidence in all controversies and suits in relation to the right of the purchaser,
3 his heirs or assigns, to the real estate thereby conveyed of the following facts:
4 First—That the real estate conveyed was subject to taxation at the time the
5 same was assessed, and had been listed and assessed in the time and manner
6 required by law. Second—That the taxes or special assessments were not paid
7 at any time before sale. Third—That the real estate conveyed had not been

8 redeemed from the sale at the date of the deed. Fourth—That the real estate
 9 was advertised for sale in the manner and for the length of time required by
 10 law. Fifth—That the real estate was sold for taxes or special assessments as
 11 stated in the deed. Sixth—That the grantee in the deed was the purchaser or
 12 assignee of the purchaser. Seventh—That the sale was conducted in the manner
 13 required by law. And any judgment for the sale of real estate for delinquent
 14 taxes rendered after the passage of this Act, except as otherwise provided in
 15 this section, shall estop all parties from raising any objection thereto, or to a
 16 tax title based thereon, which existed at or before the rendition of such judg-
 17 ment or decree, and could have been presented as a defense to the application
 18 for such judgment in the court wherein the same was rendered, and as to all
 19 such questions, the judgment itself shall be conclusive evidence of its regularity
 20 and validity in all collateral proceedings, except in cases where the tax or spe-
 21 cial assessments have been paid, or the real estate was not liable to the tax or
 22 assessment: Provided, that any judgment or decree of court, in law or in equity,
 23 setting aside any tax deed procured under this Act, or restoring the owner of
 24 same to possession, *except in case of foreclosure of lien for taxes in the name*
 25 *of the people of the State of Illinois where the property has been forfeited to*
 26 *the State for non-payment of taxes for two or more years in succession,* shall
 27 provide that the claimant shall pay to the party holding such tax deed the fol-
 28 lowing: All taxes and legal costs, as provided by law, with interest at five per
 29 cent per annum, together with subsequent taxes and special assessments paid
 30 and the statutory fees and costs incurred; for the service of the notices pro-
 31 vided by law which must be served by holders of certificates of sale to occu-
 32 pants, owners or parties interested in real estate sold for taxes, the sum of
 33 \$3.00 for each lot, block, tract or piece of land, as listed, assessed and sold in one
 34 description; for preparing the affidavit of compliance with law, \$1.00; the actual
 35 cost paid to the county clerk for issuing said tax deed; the actual cost of recording
 36 said tax deed; \$1.00 for publication fees for each lot, block, tract, or piece of
 37 land as listed, assessed and sold in one description. No final judgment or decree

38 of court in any case either at law or in equity or in proceedings under the
39 eminent domain act involving the title to or interest in any land in which such
40 party holding such tax deed shall have an interest or setting aside any tax deed
41 procured under this Act, *except in case of foreclosure of lien for taxes in the*
42 *name of the people of the State of Illinois where the property has been forfeited*
43 *to the State for non-payment of taxes for two or more years in succession,* shall
44 be entered until the claimant shall make reimbursement to the party for hold-
45 ing such tax deed and payments as herein provided in so far as it shall appear
46 that the holder of such deed or his assignors shall have properly paid or be
47 entitled to in procuring such deed.



- 1 Introduced by Mr. Scanlan, April 26, 1921.
- 2 Read by title, ordered printed and referred to Committee on Insurance.

A BILL

For an Act to amend Sections 1 and 2 of an Act entitled, "An Act relating to the transaction of the business of life insurance in the State of Illinois, and regulating the conditions and provisions of policies of life insurance companies, organized under the laws of this State or doing business herein," approved May 20, 1907, in force January 1, 1908, as amended by an Act approved June 26, 1917, in force July 1, 1917.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That Sections 1 and 2 of an Act entitled,
3 "An Act relating to the transaction of the business of life insurance in the
4 State of Illinois, and regulating the conditions and provisions of policies of life
5 insurance companies, organized under the laws of this State or doing business
6 herein," approved May 20, 1907, in force January 1, 1908, as amended by an
7 Act approved June 26, 1917, in force July 1, 1917, be and the same are hereby
8 amended so as to read as follows:

Sec. 1. That from and after January 1, 1908, no policy of life insurance shall be issued or delivered in this State to be issued by a life insurance company organized under the laws of this State, unless the same shall provide the following:

(1) That all premiums after the first shall be payable in advance, either at the home office of the company or to an agent of the company, upon delivery of a receipt signed by one or more of the officers who shall be designated in the policy.

(2) For a grace of one month for the payment of every premium after the first year which may be subject to an interest charge, during which month the insurance shall continue in force: *Provided*, that if the insured shall die within the month of grace the unpaid premium for the current policy year may be deducted in any settlement under the policy.

(3) That the policy, together with the application therefor, a copy of which application shall be endorsed upon or attached to the policy and made a part thereof, shall constitute the entire contract between the parties and shall be incontestable after *it shall have been in force, during the lifetime of the insured, for two years from its date, except for non-payment of premiums and except for violations of the conditions of the policy relating to the naval or military service in time of war and except as to provisions and conditions relating to benefits in the event of total and permanent disability and those granting additional insurance specifically against death by accidents*: *Provided*, that the application therefor need not be attached to or made a part of any policy containing a clause making the policy incontestable from date of issue.

(4) That if the age of the insured has been misstated the amount payable under the policy shall be such as the premium would have purchased at the correct age, or the premium may be adjusted and credit given to the insured or to the company, according to the company's published rate at date of issue.

(5-a) That the policy shall participate in the surplus of the company, and any policy containing provision for participation at the end of the first policy

31 year, and annually thereafter, may also provide that each dividend shall be paid
32 subject to the payment of the premium for the next ensuing year; and the in-
33 sured under any annual dividend policy shall have the right each year to have
34 the dividend arising from such participation paid in cash, and if the policy shall
35 provide other dividend options, it shall further provide that if the insured shall
36 not elect any such other options, the dividend shall be paid in cash. Such partic-
37 ipation may, however, begin not later than the end of the twentieth policy year.

38 (5-b) If any company shall issue any policies under the terms of which the
39 payment of dividends is deferred later than the third policy year, such com-
40 pany shall furnish the Department of Trade and Commerce each year a state-
41 ment showing the number and amount of all policies with deferred dividends in
42 force at the beginning of the year for which the statement is made; of all such
43 policies issued and revived or terminated during the said year with the mode
44 of termination; and the number and amount of all such policies in force at the
45 end of said year. Also a statement showing any and all amounts provisionally
46 set apart, ascertained or calculated or held awaiting apportionment upon such
47 policies at the beginning of said year, the additions made to the said fund during
48 the year, with the source from which such additions arise, the deductions made
49 from the said funds during the year with the reasons therefor and the amount
50 of said fund at the end of the year; which shall be carried as a distinct and sepa-
51 rate liability to such class of policies on and for which the sum was accumulated.
52 Upon written request of the insured under any deferred dividend policy, after
53 said policy shall have been in force more than three years, the company shall
54 furnish said policy holder with a statement of the amount of surplus provision-
55 ally ascertained or set aside on such policy and held awaiting apportionment at
55½ the expiration of the deferred dividend period.

56 (5-c) The provisions of the preceding paragraphs numbered (5a) and
57 (5b) of this section shall not apply to any form of paid-up insurance or tempo-
58 rary insurance or pure endowment insurance, issued or granted in exchange for
59 lapsed or surrendered policies, or to non-participating policies: *Provided, how-*
60 *ever,* that if any company shall issue any non-participating policy under the

61 terms of which any stipulated part of premiums received is to be placed in a
 62 separate fund for subsequent apportionment, such company shall furnish the
 63 Department of Trade and Commerce each year a statement showing the num-
 64 ber and amount of all such policies in force at the beginning of the year for
 65 which the statement is made; of all such policies issued and revived or termin-
 66 ated during the said year with the mode of termination; and the number and
 67 amount of all such policies in force at the end of said year. Also a statement
 68 showing any and all amounts provisionally set apart, ascertained or calculated
 69 or held awaiting apportionment upon such policies according to classes, at the
 70 beginning of said year, the additions made to the said fund during the year with
 71 the source from which such additions arose, the deductions made from the said
 72 fund (if permitted by the contract) during the year with the reasons therefor
 73 and the amount of said fund at the end of the year; which shall be carried as a
 74 distinct and separate reserve liability of the company for the benefit of the
 75 classes of policies from the premium payments on which the sum was accumu-
 76 lated. No part of said fund prior to the time of distribution stipulated in the
 77 contract, shall be considered in determining the loan and cash and other sur-
 78 render values provided for by this Act. Upon written request of the insured
 79 under any such policy, after said policy shall have been in force more than
 80 three years, the company shall furnish said policyholder with a statement of the
 81 amount of the contingent interest of said policyholder in the fund so accumu-
 82 lated and held awaiting apportionment at the expiration of the accumulation
 83 period. No such policy shall be issued which by its terms shall provide that
 84 more than twenty-five per cent of the annual premium shall be placed in such
 85 fund, nor shall any such provision be made a part of a term insurance policy.

86 (6) That after three full years' premiums have been paid, the company,
 87 at any time, while the policy is in force, will loan, on the execution of a proper
 88 note or loan agreement by the insured and on proper assignment and delivery
 89 of the policy and on the sole security thereof, at a specified rate of interest, a
 90 sum equal to, or at the option of the insured less than, the reserve at the end of

91 the current policy year on the policy and on the dividend additions thereto, if
92 any, *exclusive of the reserve on account of total and permanent disability and*
93 *additional accidental death benefits* (the policy to specify the mortality table
94 and the rate of interest adopted for computing such reserve), less a specified
95 percentage (not more than two and one-half) of the amount insured by the pol-
96 icy and of the dividend additions thereto, if any, and that the company will de-
97 duct from such loan value any existing indebtedness on or secured by the policy
98 and any unpaid balance of the premium for the current policy year, and may
99 collect interest in advance on the loan to the end of the current policy year:
100 *Provided*, that such loan may be deferred for not exceeding six months after
101 the application therefor is made. No condition other than as herein provided
102 shall be exacted as a prerequisite to any such loan. This provision shall not
103 be required in term insurance nor shall it apply to temporary insurance or
104 pure endowment insurance, issued or granted in exchange for lapsed or sur-
105 rendered policies.

106 (7) That in event of default in premium payments, after premiums shall
107 have been paid for three years, the insured shall be entitled to a stipulated
108 form of insurance the net value of which shall be at least equal to the reserve
109 at the date of default on the policy and on dividend additions thereto, if any,
110 *exclusive of the reserve on account of total and permanent disability and addi-*
111 *tional accidental death benefits* (the policy to specify the mortality table and
112 rate of interest adopted for computing such reserve), less a specified percent-
113 age (not more than two and a half) of the amount insured by the policy and of
114 existing dividend additions thereto, if any, and less any existing indebtedness
115 to the company on or secured by the policy: *Provided*, that the policy may be
116 surrendered to the company at its home office within one month of date of de-
117 fault for specified cash value at least equal to the sum which would otherwise
118 be available for the purchase of insurance as aforesaid: *And, provided, further*,
119 that the company may defer payment for not more than six months after the
120 application therefor is made. This provision shall not be required in term in-
121 surance of twenty years or less.

122 (8) A table showing in figures the loan values, and the options available
 123 under the policies each year upon default in premium payments, during at least
 124 the first twenty years of the policy, beginning with the year in which such val-
 125 ues and options become available. The specified percentage referred to in (6)
 126 and (7) need not be stated for the policy years included in said table.

127 (9) That if in event of default in premium payments, the value of the pol-
 128 icy shall be applied to the purchase of other insurance, and if such insurance
 129 shall be in force and the original policy shall not have been surrendered to the
 130 company and cancelled, the policy may be reinstated within three years from
 131 such default, upon evidence of insurability satisfactory to the company and pay-
 132 ment of arrears of premiums with interest.

133 (10) That when a policy shall become a claim by the death of the insured,
 134 settlement shall be made upon receipt of proof of death and not later than two
 135 months after the receipt of such proof.

136 (11) A table showing the amount of installments in which the policy may
 137 provide its proceeds may be payable.

138 (12) Title on the face and on the back of the policy, correctly describing
 139 the same.

Sec. 2. No policy of life insurance shall be issued or delivered in this
 2 State, or be issued by a life insurance company organized under the laws of
 3 this State, if it contain any of the following provisions:

4 (1) A provision limiting the time within which any action at law or in
 5 equity may be commenced to less than three years after the cause of action
 6 shall accrue.

7 (2) A provision by which the policy shall purport to be issued or to take
 8 effect more than six months before the original application for the insurance
 9 was made.

10 (3) A provision that in event of the maturity of any policy after the ex-
 11 piration of the contestable period thereof, for any mode of settlement at ma-

12 turity of less value according to the company's published rates therefor then in
13 use than the amount insured *by the terms* of the policy, *including* dividend ad-
14 ditions, if any, *after deduction* of any indebtedness to the company on or se-
15 cured by the policy and *of* any premium that may, by the terms of the policy,
16 be deducted.

17 (4) *A provision that in the event of the maturity of the policy by death*
18 *after the expiration of the contestable period thereof, for any modification, con-*
19 *tingent on the cause of death, in the amount of the insruance unless such modi-*
20 *fication is expressly permitted by statute; provided, that this prohibition shall*
21 *not apply to any additional accidental death benefits that may be incorporated*
22 *in the policy.*

23 (5) A provision for forfeiture of the policy for failure to repay any loan
24 on the policy, or to pay interest on such loan while the total indebtedness on
25 the policy is less than the loan value thereof.

- 1 Introduced by Mr. Bippus, April 26, 1921.
- 2 Read by title, ordered printed and referred to Committee on Insurance.

A BILL

for the issuance of fire insurance policy

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* A printed blank form of a contract or
3 policy of fire insurance shall be prepared and filed in the office of the Superin-
4 tendent of Insurance, in the Department of Trade and Commerce, with the date
5 of filing indorsed thereon by him and which said blank shall be known and
6 designated as the "Standard Fire Insurance Policy of the State of Illinois,"
7 which said contract or policy shall be the standard form to be adopted by every
8 insurance company doing a fire insurance business in this State on and after
9 the first day of October, 1921.

Sec. 2. On and after the first day of October, 1921, no fire insurance cor-
2 poration, its officers or agents, shall make, issue or deliver for use any fire in-
3 surance policy or the renewal of any such policy on property in this State, other
4 than such as shall conform to all the provisions of the blank form of the contract.

5 provisions, agreements and conditions with such printed blank form of con-
 6 tract or policy; and no other or different provision, agreement, condition or
 7 clause shall be in any manner made a part of such contract or policy or in-
 8 dorsed thereon or added thereto or delivered therewith, except as follows,
 9 to-wit:

10 (a) There may be printed at the head of said policy in the space indi-
 11 cated by the words "space for insertion of name of company or companies issu-
 12 ing the policy and other matter permitted to be stated at the head of the
 13 policy" the name of the company or companies issuing the policy; the location
 14 and place of business thereof; the date of incorporation or organization
 14½ thereof; whether said company or companies are stock or mutual corporations;
 15 and such device or devices as the company or companies issuing said policy
 16 shall desire.

17 (b) There may be printed at the end of the first page of said policy in
 18 the space indicated therefor by the words "space for date and for signatures
 19 and titles of officers and agents," the names and titles of the officers executing
 20 and attesting the policy, and the words "but this policy shall not be valid until
 21 countersigned by the duly authorized agent of the company at....."
 22 (or the word "manager" in place of the word "agent") and the words "coun-
 23 tersigned at.....this.....day of.....," followed
 24 by a blank space for the signature of such duly authorized agent or manager,
 25 and the word "agent" or "manager."

26 (c) There may be printed in the space indicated by the words "space for
 27 description of property," or added to the policy at such space by agreement
 28 in writing thereon or by rider attached thereto the following: 1. Descriptions
 29 and specifications, by schedule or otherwise, of the property covered by the pol-
 30 icy; 2. The extent of the application of insurance under the policy; 3. The
 31 extent of the contribution to be made under the policy in case of loss or dam-
 32 age; 4. Any other matter necessary clearly to express all the facts and condi-
 33 tions of insurance on any particular risk: *Provided, however,* that no such

34 agreement or rider shall be inconsistent with or a waiver of any of the con-
35 ditions or provisions of the standard fire insurance policy hereby established,
36 except that in the case of a mortgagee not named in the policy as the insured,
37 such provisions may be added as shall not be inconsistent with or a waiver
38 of any of the provisions of the said standard policy relating to mortgage in-
39 terests but if so added shall include the provisions of a standard rider or in-
40 dorsement relating to such interest the form of which shall have been approved
41 by the Superintendent of Insurance and filed in his office as hereinafter
42 provided.

43 (d) There may be added to the policy, with the approval of the Superin-
44 tendent of Insurance, any provision which any company issuing a policy is re-
45 quired by law to insert in its policies, not in conflict with the provisions of
46 such "standard fire insurance policy": *Provided*, all such provisions shall be
47 printed in a group apart from the other provisions, agreements or conditions
48 of the policy under separate title as follows: "Provisions required by law
49 to be stated in this policy."

50 (e) If the policy be made by a mutual or other company having special
51 regulations lawfully applicable to its organization, membership, policies or con-
52 tracts of insurance, such regulations may, with the approval of the Superin-
53 tendent of Insurance, be written or printed upon, attached or appended to the
54 policy, upon the third page of such standard policy, but shall be preceded by
55 the words "This policy issued by a mutual company having special regula-
56 tions lawfully applicable to its organization, membership, policies or contracts
57 of insurance of which the following shall apply to and form a part of this
58 policy."

59 (f) Contracts for temporary insurance may be made for a period not ex-
60 ceeding fifteen days, which shall be deemed to include all of the provisions of
61 the standard policy with such agreements and riders in writing added thereto
62 as may be necessary to effect valid insurance of the described property and
63 such other agreements not inconsistent with or a waiver of any condition or.

12 that the use of any such rider, indorsement, clause, permit, form or other
13 memoranda is so extensive that there should be in his judgment a standard
14 form thereof, and he shall thereupon prepare and file in his office such stand-
15 ard form of rider, indorsement, clause, permit, form or other memoranda, and
16 thereafter no fire insurance corporation shall attach to any such standard policy
17 of insurance, any rider, indorsement, clause, permit, form or other memoranda
18 covering substantially the same agreement provided for by such standard rider,
19 indorsement, clause, permit, form or other memoranda except it be in the pre-
20 cise language of the forms so filed by the Superintendent of Insurance. Forms
21 of riders, indorsements, clauses, permits, forms or other memoranda to be at-
22 tached to and made a part of fire insurance contracts relating to property lo-
23 cated in this State may be presented for filing in the office of the Superintendent
24 of Insurance by any corporation, association or bureau maintained for the pur-
25 pose of suggesting, approving or making rates to be used by more than one
26 underwriter for insurance on property located in this State, and, when ap-
27 proved and filed by such Superintendent of Insurance, shall thereupon become
28 standard forms of riders, indorsements, clauses, permits, forms or other memo-
29 randa and their use shall be required, as hereinbefore provided.

Sec. 4. Whenever, in the judgment of the Superintendent of Insurance,
2 there shall be no further necessity for requiring the use of any standard form
3 of rider, indorsement, clause, permit, form or other memoranda in the precise
4 language theretofore required, he may give notice in writing of such deter-
5 mination, to each fire insurance corporation doing business in this State, and
6 to each such corporation, association or bureau maintained for the purpose of
7 suggesting, approving or making rates, as aforesaid, and thereafter the use of
8 such standard form shall not be required as herein provided.

Sec. 5. Appropriate forms of supplemental contract or contracts whereby
2 the property described in such policy shall be insured against one or more of
3 the risks specified in section one hundred and ten of this chapter, in addition

4 to the risk of direct loss or damage by fire, may be approved by the Superin-
5 tendent of Insurance, and their use in connection with a standard fire insurance
6 policy may be authorized by him.

Sec. 6. Whenever application shall be made for the selection of an umpire
2 pursuant to the provisions relating to appraisals as contained in such stand-
3 ard fire insurance policy, such application shall be made to a judge in a court
4 of record in the county in which the lost or damaged property is or was
5 located, on five days' notice in writing, to be given by either party to the other,
6 of his or its intention so to do. Any such notice in writing, when served by
7 the insured, may be served upon any local agent of the company; and the said
8 judge shall, on proof by affidavit of the failure or neglect of the said ap-
9 praisers to agree upon and select an umpire within the time provided in said
10 policy, and of the service of notice aforesaid, forthwith appoint a competent
11 and disinterested person to act as such umpire in the ascertainment of the
12 amount of said loss or damage



1 Adopted June 2, 1921.

AMENDMENT NO. 1.

Amend printed House Bill No. 701, on page 1, Section 1, line 3, by striking
2 the word "his" and substituting in lieu thereof the word "the."

AMENDMENT NO. 2.

Amend printed House Bill No. 701, on page 1, Section 1, lines 3 and 4, by
2 striking the words "by the Superintendent of Insurance, in" and by substitut-
3 ing in lieu thereof the word "of."

AMENDMENT NO. 3.

Amend printed House Bill No. 701, on page 1, Section 1, line 5, by striking
2 the words "by him and."

AMENDMENT NO. 4.

Amend printed House Bill No. 701, on page 3, Section 2, line 41, by striking
2 the words "Superintendent of Insurance" and substituting in lieu thereof the
3 words "Department of Trade and Commerce" and by striking the word "his"
4 and substituting in lieu thereof the word "its."

AMENDMENT NO. 5.

Amend printed House Bill No. 701, on page 3, Section 2, lines 43 and 44 and
2 lines 52 and 53, by striking the words "Superintendent of Insurance" and sub-
3 stituting in lieu thereof, in each instance, the words "Department of Trade
4 and Commerce."

AMENDMENT NO. 6.

Amend printed House Bill No. 701, on page 4, Section 2, lines 80 and 81,
 2 and on page 5, Section 2, line 111, by striking the words "Superintendent of
 3 Insurance" and substituting in lieu thereof, in each instance, the words "De-
 4 partment of Trade and Commerce."

AMENDMENT NO. 7.

Amend printed House Bill No. 701, on page 5, Section 3, line 1, by striking
 2 the words "Superintendent of Insurance" and substituting in lieu thereof the
 3 words "Department of Trade and Commerce" and by striking the words "in
 4 person" and substituting in lieu thereof the words "by its officers."

AMENDMENT NO. 8.

Amend printed House Bill No. 701, on page 5, Section 3, line 2, by striking
 2 the words "by him."

AMENDMENT NO. 9.

Amend printed House Bill No. 701, on page 5, Section 3, line 11, by striking
 2 the words "Superintendent of Insurance" and substituting in lieu thereof the
 3 word "department."

AMENDMENT NO. 10.

Amend printed House Bill No. 701, on page 6, Section 3, line 13, by striking
 2 the words "in his judgment."

AMENDMENT NO. 11.

Amend printed House Bill No. 701, on page 6, Section 3, line 14, by striking
 2 the word "he" and substituting in lieu thereof the words "the department"
 3 and by striking the word "his" and substituting in lieu thereof the word "its."

AMENDMENT NO. 12.

Amend printed House Bill No. 701, on page 6, Section 3, line 20, and on
 2 page 6, Section 3, lines 23 and 24, by striking the words "Superintendent of

3 Insurance" and substituting in lieu thereof, in each instance, the words "De-
4 partment of Trade and Commerce."

AMENDMENT NO. 13.

Amend printed House Bill No. 701, on page 6, Section 3, line 27, by striking
2 the words "such Superintendent of Insurance" and substituting in lieu the
3 words "the Department of Trade and Commerce."

AMENDMENT NO. 14.

Amend printed House Bill No. 701, on page 6, Section 4, line 1, by striking
2 the words "Superintendent of Insurance" and substituting in lieu thereof the
3 words "Department of Trade and Commerce."

AMENDMENT NO. 15.

Amend printed House Bill No. 701, on pages 6 and 7, by striking all of
2 Section 5 and substituting in lieu thereof the following:

3 Sec. 5. Appropriate forms of supplemental contracts may be approved by
4 the Department of Trade and Commerce and their use in connection with the
5 standard policy may be authorized, whereby the property described in the policy
6 shall, in addition to the risks of loss or damage by fire, be insured against one
7 or more of the following risks: Loss or damage, including loss of use or occu-
8 pancy, by fire, lightning, wind-storm, tornado, cyclone, earthquake, hail, rain,
9 frost or snow and by explosion, whether fire ensues or not, and also against
10 loss or damage by water from the breaking or leakage or sprinklers, pumps or
11 other apparatus erected for extinguishing fires and of water pipes and also
12 against loss or damage by all or any of the risks of lake, river, canal and in-
13 land navigation and transportation including, in case of insurance upon auto-
14 mobiles, all or any of the hazards of explosion, transportation, collision, loss
15 by legal liability for damage to property resulting from the maintenance and
16 use of automobiles and loss by burglary or theft or both but not including loss
17 by reason of bodily injury to the person."

AMENDMENT NO. 16.

Amend printed House Bill No. 701, on page 1, in section 1, by striking out
 2 all of lines 2, 3, 4 and 5 after the enacting clause and inserting in lieu thereof
 3 the following: "The blank form of contract or policy of fire insurance contained
 4 in Section 7 of this Act shall be known and"

AMENDMENT NO. 17.

Amend printed House Bill No. 701, on page 7, after section 6, by adding
 2 a new section to read as follows:

3 SAMPLE.

4 "Sec. 7. Standard Fire Insurance Policy of the State of Illinois. No.....
 5 (Space for insertion of name of company or companies issuing the policy
 6 and other matter permitted to be stated at the head of the policy.)

7 Amount \$..... Rate \$..... Premium \$.....

8 In consideration of the stipulations herein named

9 and ofDollars Premium

10 does insure

11 and legal representatives, to the extent of the actual cash value (ascertained
 12 with proper deductions for depreciation) of the property at the time of loss or
 13 damage, but not exceeding the amount which it would cost to repair or replace
 14 the same with material of like kind and quality within a reasonable time after
 15 such loss or damage, without allowance for any increased cost of repair or re-
 16 construction by reason of any ordinance or law regulating construction or
 17 repair and without compensation for loss resulting from interruption of busi-
 18 ness or manufacture, for the term of.....

19 from the.....day of.....19...., at noon,

20 to theday of.....19...., at noon,

21 against all DIRECT LOSS AND DAMAGE BY FIRE and by removal from

22 premises endangered by fire, except as herein provided, to an amount not

23 exceedingDollars, to the

24 following described property, while located and contained as described herein,
25 or pro rata for five days at each proper place to which any of the property shall
26 necessarily be removed for preservation from fire, but not elsewhere, to-wit:

27 (Space for description of property.)

28 This policy is made and accepted subject to the foregoing stipulations and
29 conditions, and to the stipulations and conditions printed on the back hereof,
30 which are hereby made a part of this policy, together with such other provi-
31 sions, stipulations and conditions as may be endorsed hereon or added hereto
32 as herein provided.

33 IN WITNESS WHEREOF, this Company has executed and attested these
34 presents.

35 (Space for date and for signatures and titles of officers and agent.)

36 *Fraud, Misrepresentation, Etc.*—This entire policy shall be void if the in-
37 sured has concealed or misrepresented any material fact or circumstance con-
38 cerning this insurance or the subject thereof; or in case of any fraud or false
39 swearing by the insured touching any matter relating to this insurance or the
40 subject thereof, whether before or after a loss.

41 *Uninsurable and Accepted Property.*—This policy shall not cover accounts,
42 bills, currency, deeds, evidences of debt, money, notes or securities; nor, unless
43 specifically named hereon in writing, bullion, manuscripts, mechanical drawings,
44 dies or patterns.

45 *Hazards Not Covered.*—This Company shall not be liable for loss or dam-
46 age caused directly or indirectly by invasion, insurrection, riot, civil war or com-
47 motion, or military or usurped power, or by order of any civil authority; or by
48 theft, or by neglect of the insured to use all reasonable means to save and pre-
49 serve the property at and after a fire or when the property is endangered by
50 fire in neighboring premises.

51 *This entire policy shall be void, unless otherwise provided by agreement in*
52 *writing added hereto.*

53 *Ownership, Etc.*—(a) If the interest of the insured be other than uncondi-
 54 tional and sole ownership; or (b) if the subject of insurance be a building on
 55 ground not owned by the insured in fee simple; or (c) if, with the knowledge of
 56 of the insured, foreclosure proceedings be commenced or notice given of sale of
 57 any property insured hereunder by reason of any mortgage or trust deed; or
 58 (d) if any change, other than by the death of an insured, take place in the
 59 interest, title or possession of the subject of insurance (except change of occu-
 60 pants without increase of hazard); or (e) if this policy be assigned before
 61 a loss.

62 *Unless otherwise provided by agreement in writing added hereto this Com-*
 63 *pany shall not be liable for loss or damage occurring.*

64 *Other Insurance.*—(a) While the insured shall have any other contract of
 65 insurance, whether valid or not, on property covered in whole or in part by this
 66 policy;; or

67 *Increase of Hazard.*—(b) While the hazard is increased by any means within
 68 the control or knowledge of the insured; or

69 *Repairs, Etc.*—(c) While mechanics are employed in building, altering or
 70 repairing the described premises beyond a period of fifteen days; or

71 *Explosives, Gas, Etc.*—(d) While illuminating gas or vapor is generated
 72 on the described premises; or while (any usage or custom to the contrary not-
 73 withstanding) there is kept, used or allowed on the described premises fireworks,
 74 greek fire, phosphorus, explosives, benzine, gasoline, naphtha or any other
 75 petroleum product of greater inflammability than kerosene oil, gunpowder ex-
 76 ceeding twenty-five pounds, or kerosene oil exceeding five barrels; or

77 *Factories.*—(e) If the subject of insurance be a manufacturing establish-
 78 ment while operated in whole or in part between the hours of ten P. M. and
 79 five A. M., or while it ceases to be operated beyond a period of ten days; or

80 *Unoccupancy.*—(f) While a described building, whether intended for occu-
 81 pancy by owner or tenant, is vacant or unoccupied beyond a period of ten
 82 days; or

83 *Explosion, Lightning.*—(g) By explosion or lightning, unless fire ensue,
84 and, in that event, for loss or damage by fire only.

85 *Chattel Mortgage.*—Unless otherwise provided by agreement in writing
86 added hereto this Company shall not be liable for loss or damage to any prop-
87 erty insured hereunder while incumbered by a chattel mortgage, and during the
88 time of such incumbrance this Company shall be liable only for loss or damage
89 to any other property insured hereunder.

90 *Fall of Building.*—If a building, or any material part thereof, fall except
91 as the result of fire, all insurance by this policy on such building or its con-
92 tents shall immediately cease.

93 *Added Clauses.*—The extent of the application of insurance under this
94 policy and of the contribution to be made by this Company in case of loss or
95 damage, and any other agreement not inconsistent with or a waiver of any of
96 the conditions or provisions of this policy, may be provided for by agreement
97 in writing added hereto.

98 *Waiver.*—No one shall have power to waive any provision or condition of
99 this policy except such as by the terms of this policy may be the subject of
100 agreement added hereto, nor shall any such provision or condition be held to be
101 waived unless such waiver shall be in writing added hereto, nor shall any pro-
102 vision or condition of this policy or any forfeiture be held to be waived by any
103 requirement, act or proceeding on the part of this Company relating to
104 appraisal or to any examination herein provided for; nor shall any privilege
105 or permission affecting the insurance hereunder exist or be claimed by the in-
106 sured unless granted herein or by rider added hereto.

107 *Cancellation of Policy.*—This policy shall be cancelled at any time at the
108 request of the insured, in which case the Company shall, upon demand and
109 surrender of this policy, refund the excess of paid premium above the custom-
110 ary short rates for the expired time. This policy may be cancelled at any time
111 by the Company by giving to the insured a five days' written notice of cancella-
112 tion with or without tender of the excess of paid premium above the pro rata

113 premium for the expired time, which excess, if not tendered, shall be refunded
 114 on demand. Notice of cancellation shall state that said excess premium (if not
 115 tendered) will be refunded on demand.

116 *Pro Rata Liability.*—This Company shall not be liable for a greater propor-
 117 tion of any loss or damage than the amount hereby insured shall bear to the
 118 whole insurance covering the property, whether valid or not and whether collect-
 119 ible or not.

120 *Noon.*—The word “noon” herein means noon of standard time at the place
 121 of loss or damage.

122 *Mortgage Interests.*—If loss or damage is made payable, in whole or in part,
 123 to a mortgagee not named herein as the insured, this policy may be cancelled as
 124 to such interest by giving to such mortgagee a ten days’ written notice of can-
 125 cellation. Upon failure of the insured to render proof of loss such mortgagee
 126 shall, as if named as insured hereunder, but within sixty days after notice of
 127 such failure, render proof of loss and shall be subject to the provisions hereof
 128 as to appraisal and times of payment and of bringing suit. On payment to such
 129 mortgagee of any sum for loss or damage hereunder, if this Company shall claim
 130 that as to the mortgagor or owner, no liability existed, it shall, to the extent
 131 of such payment be subrogated to the mortgagee’s right of recovery and claim
 132 upon the collateral to the mortgage debt, but without impairing the mortgagee’s
 133 right to sue; or it may pay the mortgage debt and require an assignment there-
 134 of and of the mortgage. Other provisions relating to the interests and obliga-
 135 tions of such mortgage may be added hereto by agreement in writing.

136 *Requirements in Case of Loss.*—The insured shall give immediate notice, in
 137 writing, to this company, of any loss or damage, protect the property from fur-
 138 ther damage, forthwith separate the damaged and undamaged personal prop-
 139 erty, put it in the best possible order, furnish a complete inventory of the des-
 140 troyed, damaged and undamaged property, stating the quantity and cost of
 141 each article and the amount claimed thereon; and, *the insured shall, within*
 142 *sixty days after the fire, unless such time is extended in writing by this Comp-*

143 *any, render to this Company a proof of loss, signed and sworn to by the in-*
144 *sured, stating the knowledge and belief of the insured as to the following: the*
145 *time and origin of the fire, the interest of the insured and of all others in the*
146 *property, the cash value of each item thereof and the amount of loss or dam-*
147 *age thereto, all incumbrances thereon, all other contracts of insurance, whether*
148 *valid or not, covering any of said property, any changes in the title, use, occu-*
149 *pation, location, possession, or exposures of said property since the issuing*
150 *of this policy, by whom and for what purpose any building herein described*
151 *and the several parts thereof were occupied at the time of fire; and shall fur-*
152 *nish a copy of all the descriptions and schedules in all policies and if required,*
153 *verified plans and specifications of any building, fixtures or machinery des-*
154 *troyed or damaged. The insured, as often as may be reasonably required,*
155 *shall exhibit to any person designated by this Company all that remains of any*
156 *property herein described, and submit to examinations under oath by any per-*
157 *son named by this Company, and subscribe the same; and, often as may be reason-*
158 *ably required, shall produce for examination all books of account, bills in-*
159 *voices, and other vouchers, or certified copies thereof, if originals be lost, at*
160 *such reasonable time and place as may be designated by this Company or its*
161 *representative, and shall permit extracts and copies thereof to be made.*

162 *Appraisal*—In case the insured and this Company shall fail to agree as to
163 the amount of loss or damage, each shall, on the written demand of either,
164 select a competent and disinterested appraiser. The appraisers shall first
165 select a competent and disinterested umpire; and failing for fifteen days to
166 agree upon such umpire then, on request of the insured or this Company, such
167 umpire shall be selected by a judge of a court of record in the state in which
168 the property insured is located. The appraisers shall then appraise the loss
169 and damage stating separately sound value and loss or damage to each item;
170 and failing to agree, shall submit their differences only, to the umpire. An
171 award in writing, so itemized, of any two when filed with this Company shall
172 determine the amount of sound value and loss or damage. Each appraiser

173 shall be paid by the party selecting him and the expenses of appraisal and um-
174 pire shall be paid by the parties equally.

175 *Company's Options.*—It shall be optional with this Company to take all,
176 or any part, of the articles at the agreed or appraised value, and also to repair,
177 rebuilt, or replace the property lost or damaged with other of like kind and
178 quality within a reasonable time, on giving notice of its intention so to do
179 within thirty days after the receipt of the proof of loss herein required; but
180 *Abandonment.* there can be no abandonment to this Company of any property.

181 *When Loss Payable.*—The amount of loss or damage for which this Com-
182 pany may be liable shall be payable sixty days after proof of loss, as herein
183 provided, is received by this Company and ascertainment of the loss or damage
184 is made either by agreement between the insured and this Company expressed
185 in writing or by the filing with this Company of an award as herein provided.

186 *Suit.*—No suit or action on this policy, for the recovery of any claim, shall
187 be sustainable in any court of law or equity unless all the requirements of this
188 policy shall have been complied with, nor unless commenced within twelve
189 months next after the fire.

190 *Subrogation.*—This Company may require from the insured an assignment
191 of all right of recovery against any party for loss or damage to the extent that
192 payment therefor is made by this Company.

193	STANDARD FIRE INSURANCE POLICY OF THE STATE OF ILLINOIS.									
194	Expires	.....							
195	Property	.....							
196	Amount	-	-	-	-	-	-	-	-	\$.....
197	Premium	-	-	-	-	-	-	-	-	\$.....
198	.....								
199	NO.....									

200 It is important that the written portions of all policies covering the same
201 property read exactly alike. If they do not they should be made uniform at
202 once.

AMENDMENT NO. 18.

Amend printed House Bill No. 701, on page 5, by inserting at the end of
2 section 2, a new paragraph, to read as follows:

3 “(k) The standard contract or policy of insurance on buildings provided
4 for herein, shall not contain a co-insurance clause, or any clause in which the
5 insured warrants to insure the property insured to any amount, nor shall any
6 such clause be added to such contract or policy.”



1 Introduced by Mr. Smejkal, April 26, 1921.

2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act making an appropriation of ten thousand dollars (\$10,000) to the Department of Agriculture.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* There is appropriated to the Department of Agriculture, for the Division of Plant Industry, the sum of ten thousand dollars (\$10,000), until the adjournment of the next regular session of the
3 General Assembly, for the control and eradication of the newly discovered
4 wheat disease, known as flag smut.
5
6

Sec. 2. The appropriation herein made is subject to the provisions of "An
2 Act in relation to State finance," approved June 10, 1919, in force July 1, 1919.

Sec. 3. Because of an emergency, this Act shall take effect upon its passage.
2



- 1 Introduced by Mr. Overland, April 26, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend an Act entitled, "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, as amended, by amending Sections 7, 8, 9 and 10 of Division III thereof, and adding to said Division III eight sections, to be known as Sections 10a, 10b, 10c, 10d, 10e, 10f, 10g and 10h.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* An Act entitled, "An Act to revise the
3 law in relation to criminal jurisprudence," approved March 27, 1874, in force
4 July 1, 1874, as amended, is amended by amending Sections 7, 8, 9 and 10 of
5 Division III thereof, and by adding to said Division III eight sections, to be
6 known as Sections 10a, 10b, 10c, 10d, 10e, 10f, 10g and 10h, the amended and
7 additional section to read as follows:

Sec. 7. The bail shall be worth double the amount of bail expressed in
2 the recognizance over and above the amount exempt from execution, but the
3 court, judge, *police magistrate*, justice of the peace, or *other* officer in taking

4 bail may allow more than one bail to justify, in amounts less than double the
 5 amount expressed in the recognizance, if the whole qualification be equivalent
 6 to double the amount of the bail fixed.

Sec. 8. The court, judge, *police magistrate*, justice of the peace or other
 2 officer or person authorized by law to take bail, *shall* examine the bail on oath
 3 touching his or their sufficiency and may *require* other evidence for or against
 4 the same in such manner as he may deem proper. *And the court, judge, police*
 5 *magistrate or justice of the peace may for good reason appearing upon such*
 6 *examination and in all other proper cases excuse the bail from filing a schedule,*
 7 *such as is hereinafter provided for.*

Sec. 9. The bail, unless excused by the court, judge, police magistrate or
 2 justice of the peace, shall be required to file a signed schedule, which shall be
 3 considered a part of the recognizance, in which he or they shall under oath
 4 answer as to name, residence, occupation, ownership of the property offered,
 5 location, legal description, whether registered under an Act entitled, "An Act
 6 concerning land titles," approved and in force May 1, 1897, as amended, when
 7 purchased, consideration, improvements, rents, taxes, encumbrances, judg-
 8 ments, liens, proceedings at law or in equity against such property or bail,
 9 whether surety in other cases and amount of bail therein, amount received for
 10 acting as bail and from whom, whether bail has in any manner been secured
 11 against loss, by whom, in what manner and amount and any and all other ques-
 12 tions touching upon his or their qualifications or sufficiency to act as bail, and
 13 such schedule shall in courts of record, together with the time of approval, be
 14 spread on the records of the court.

Sec. 10. In case the bail in any recognizance in criminal cases shall sched-
 2 ule real estate situated in a county or counties in this State other than the
 3 county in which the defendant is bound to appear, or if in any recognizance
 4 taken by any police magistrate, justice of the peace or by a city court which is

5 not located at a county seat, the bail shall schedule real estate, there shall be
6 given and signed by the defendant and the bail as many copies of recognizances
7 and schedules as may be required, and the police magistrate, justice of the
8 peace or the clerk of the court of record in which the defendant is required to
9 appear, shall, in such case, immediately send by registered mail or otherwise a
10 duplicate of the recognizance and schedule containing such property, together
11 with an endorsement thereon, showing the time of approval thereof, to the offi-
12 cer charged with the duty of recording deeds in the county in which the prop-
13 erty so scheduled is situated.

14 Such police magistrate, justice of the peace or clerk shall also send to the
15 same officer a certified copy of the final judgment or other order discharging
16 said bail, immediately after the entry thereof.

Sec. 10a. In case the bail in any recognizance in criminal cases shall sched-
2 ule real estate registered in accordance with the provisions of an Act entitled,
3 "An Act concerning land titles," approved and in force May 1, 1897, as
4 amended, there shall be given and signed by the defendant and the bail as many
5 copies of recognizances and schedules as may be required, and the police mag-
6 istrate, justice of the peace or the clerk of the court of record in which the de-
7 fendant is required to appear, shall, in such case, immediately send, by regis-
8 tered mail or otherwise, a duplicate of the recognizances and schedule contain-
9 ing such property, together with an endorsement thereon showing the time of
10 approval thereof to the registrar of titles of the county in which the property
11 so scheduled is situated.

12 Such police magistrate, justice of the peace or clerk shall also send to the
13 same officer a certified copy of the final judgment or other order discharging
14 said bail immediately after the entry thereof.

Sec. 10b. Immediately upon receipt of a duplicate recognizance and sched-
2 ule taken in any criminal case, as provided in Section 10 and 10a hereof, the
3 recorder of deeds, or the registrar of titles in any county, as the case may be,

4 shall file the same in his office and shall endorse thereon the date of such filing
 5 and shall make an abstract thereof, in a book kept for that purpose, which book
 6 shall be properly indexed and shall contain the title of the cause, the name of
 7 the court in which such case is pending, the number by which such case is des-
 8 ignated in said court, the amount of the recognizance, the date of the filing
 9 thereof in the offices of the recorder of deeds or registrar of titles, the name of
 10 the bail, and a description of the property scheduled by said bail. At any time
 11 thereafter, upon receipt by such recorder or registrar of a certified copy of the
 12 final judgment or other order discharging said bail, such recorder or registrar
 13 shall immediately file the same in his office and endorse thereon the date of
 14 such filing and shall note upon the abstract of said recognizance a brief sum-
 15 mary of said final judgment or order.

16 Police magistrates, justices of the peace and clerks of courts of record and
 17 the several officers charged with the duty of recording deeds and the registrars
 18 of title shall not be entitled to receive any fees or compensation for the per-
 19 formance of the duties imposed upon them by the provisions of this Act.

Sec. 10c. Every recognizance taken or attempted to be taken in pursuance
 2 of this Act shall by all courts in this State be held and adjudged to have been
 3 entered into voluntarily and shall not be set aside or adjudged insufficient for
 4 want of form either in the recognizance, schedule or certificate of the officer tak-
 5 ing the same.

Sec. 10d. Any recognizance and schedule taken in a criminal case shall be
 2 delivered immediately after approval to the clerk of the court before which or
 3 to the police magistrate or justice of the peace before whom the accused or wit-
 4 ness is bound to appear and subject to the provisions of this Act shall be a lien
 5 upon the property scheduled therein for the full amount named therein:

6 (a) Any recognizance in a criminal case wherein the bail shall schedule
 7 real estate situated in any county in this State other than in the county wherein
 8 the defendant is bound to appear, and any recognizance given in a criminal case

9 in which real estate is scheduled and which is taken by any justice of the peace,
10 police magistrate or by a city court located in any city other than the county
11 seat of the county in which such city court is located, shall become a lien upon
12 the real estate so scheduled, from the time such recognizance shall be filed in
13 the office of the person charged with the duty of recording deeds of the county
14 in which such real estate is situated. Any recognizance in a criminal case in
15 which is scheduled real estate, which is registered in accordance with the pre-
16 visions of an Act entitled, "An Act concerning land titles," approved and in
17 force May 1, 1897, as amended, shall become a lien upon the real estate so
18 scheduled, from time such recognizance shall be filed in the office of the regis-
19 trar of titles of the county in which such real estate is situated.

20 (b) Any recognizance in a criminal case not herein otherwise provided
21 for, taken by a court of record located at the county seat of any county in this
22 State wherein the bail shall schedule real estate situated in the county in which
23 said court of record is located, shall become a lien upon the real estate so situ-
24 ated and scheduled therein from the time such recognizance is approved by the
25 court: *Provided*, that in case the jurisdiction of any such court of record is ex-
26 ercised by one or more branch courts, then, unless such recognizance taken pur-
27 suant to the provisions hereof shall be filed in the general office of the clerk of
28 said court on or before five o'clock p. m. of the next court day after such recog-
29 nizance is approved, it shall cease to be a lien upon the real estate scheduled
30 therein until it shall be so filed in such general office.

Sec. 10e. The lien of any recognizance heretofore taken in a criminal case
2 shall cease and determine at the expiration of fifteen months from the taking
3 effect of this Act and the lien of any recognizance hereafter taken shall cease
4 and determine at the expiration of fifteen months from the date it becomes a
5 lien: *Provided*, that when judgment is entered upon any such recognizance
6 against the owner of the real estate scheduled therein, within fifteen months
7 from the date it becomes a lien, the lien of the judgment against such real estate

8 shall relate back to the date the recognizance becomes a lien. The lien of any
9 recognizance heretofore or hereafter taken shall immediately cease and deter-
10 mine upon the surrender of the defendant to the proper authorities, upon the
11 final disposition of the case in which such recognizance was given, or upon the
12 entry of an order striking such case from the docket with leave to reinstate.

13 But in case any suit or proceeding shall be brought to foreclose any lien
14 on the real estate scheduled in any such recognizance heretofore or hereafter
15 taken in a criminal case and the State's Attorney of the county in which the
16 recognizance is taken shall be made a party thereto, the lien of such recogniz-
17 ance and of any judgment entered thereon shall cease and determine as to the
18 real estate scheduled in such recognizance at the time when it would be barred,
19 foreclosed and terminated as a result of such suit or proceeding, if, instead of
20 being the lien of a recognizance, or of a judgment entered thereon, as herein-
21 before provided, it were the lien of a mortgage dated, recorded and effective,
22 as a lien at the time the lien of the recognizance became effective, and the mort-
23 gagee were an individual and made a party to the proceeding, *provided, how-*
24 *ever,* that the provisions of this paragraph shall not prevent any such lien from
25 ceasing and determining at the time or upon any contingency, fixed or named in
26 the first paragraph of this section.

Sec. 10f. In case any suit or proceeding shall be brought, involving or af-
2 fecting the real estate scheduled on any recognizance in a criminal case hereto-
3 fore or hereafter taken, any rule, statutory or otherwise, requiring interested
4 parties to be made parties to the suit or proceeding, shall not apply so far as
5 the interest of the State of Illinois existing by reason of such recognizance or of
6 any judgment entered thereon is concerned, but the State's Attorney of the
7 county in which the recognizance is taken shall be made a party thereto. And
8 in case of any such suit or proceeding other than to foreclose a lien as provided
9 in Section 10e hereof, the lien of any such recognizance or of any judgment en-
10 tered thereon shall cease and determine as to such real estate upon the entry of

11 -a final decree or judgment therein: *Provided*, that if, as a result of such suit
12 or proceeding the person signing such recognizance, or any one who, prior to
13 entry of said decree or judgment, shall have derived title to or interest in such
14 real estate through or under him, shall be adjudged or become entitled to such
15 real estate or an allotment of a part thereof, or to any part of the proceeds of
16 any sale ordered or decreed in such proceeding, or to any sum as payment for
17 or in lieu of his interest in such real estate, then, unless the lien of such recog-
18 nizance or of any judgment entered thereon shall have previously ceased and
19 determined under the provisions of Section 10e, the court shall order or decree
20 that such real estate, allotment, portion of the proceeds of sale, or sum to which
21 he shall become entitled as aforesaid, shall be subject to a lien in favor of the
22 State of Illinois for the same amount as the penalty fixed in such recognizance,
23 or for the amount of any judgment entered thereon and the court shall have
24 the power to make such further order or decree as may be necessary to protect
25 such lien, the lien so created to be subject, and prior to the same rights and
26 liens, respectively, as was the lien of the recognizance or of the judgment en-
27 tered thereon previous to the entry of the decree or judgment in such suit:
28 *And, provided, further*, that the lien so created shall cease and determine at
28½ the time when the original lien of the recognizance or of the judgment
29 entered thereon would have ceased and determined without the provisions of
30 this section, and all the provisions of this section and of Section 10e relating to
31 liens of recognizances, and of judgments entered thereon, so far as applicable,
32 shall apply to liens so created.

Sec. 10g. Nothing in this Act contained shall be construed to limit, in any
2 manner, the rights of the People of the State of Illinois, as set forth and con-
3 tained in Section 17 of Division III of this Act.

Sec. 10h. Any police magistrate, justice of the peace, any clerk of any
2 court of record, any deputy clerk of any court of record, any officer charged
3 with the duty of recording deeds, any registrar of titles, and any and all other
4 persons or officers who shall wilfully refuse or fail to obey any of the provi-

5 sions of this Act shall be guilty of a misdemeanor and, upon conviction thereof,
6 shall be fined not more than one hundred dollars (\$100.00) or imprisoned in
7 the county jail not more than one year, or both, in the discretion of the court.



- 1 Introduced by Mr. Pace, April 26, 1921.
- 2 Read by title, ordered printed and referred to Committee on Roads and Bridges.

A BILL

For an Act to impose a license tax on persons engaged in the business of selling gasoline at retail.

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* After the first day of August, 1921, no
3 person shall engage in the business of selling gasoline at retail, without having
4 a license so to do, secured from the Secretary of State.

5 The sale of gasoline in quantities of less than one thousand gallons is, for
6 the purposes of this Act, a retail sale.

Sec. 2. Every person desiring to engage in the business of selling gasoline
2 at retail, shall make application to the Secretary of State on blanks furnished
3 by that officer and shall, in the application, furnish to the Secretary of State,
4 such information under oath as he may deem necessary.

5 The applicant shall also furnish with the application, a bond, with securi-
6 ties to be approved by the Secretary of State, in a sum fixed by the Secretary
7 of State, at double the largest estimated amount of license tax which will be-

8 come due under the provisions of this Act from the applicant during any quar-
9 ter of the next year. The bond shall run for a period of one year and shall
10 be conditioned for the payment of the license tax provided by this Act.

Sec. 3. The licenses and bonds required by this Act must be renewed an-
2 nually, on or before the first day of October of each year.

Sec. 4. Every person licensed under this Act and engaging in the busi-
2 ness of selling gasoline at retail shall, between the first and tenth days of
3 each month, make return under oath, to the Secretary of State, showing the
4 amount of gasoline bought and the amount sold at retail during the preceding
5 month. The monthly returns shall be made on forms prepared and furnished
6 by the Secretary of State, and shall furnish such other information as he may
7 require.

Sec. 5. At the time of making the monthly return of business done, the
2 licensee shall pay as a license tax to the Secretary of State, one cent for each
3 gallon of gasoline sold by him at retail during the period covered by the
4 return.

5 All money received by the Secretary of State as license taxes under this
6 Act shall be deposited in the State treasury in a special fund to be known as
7 the Secondary Road Fund, and appropriations shall be made from that fund
8 only for the purpose of paying the State's share for the construction of Sec-
9 ondary State-Aid Roads.

Sec. 6. It is the duty of every licensee under this Act, to keep records and
2 books showing the business transacted, and the Secretary of State is authorized
3 to make reasonable rules and regulations relating to the method of keeping
4 records and books.

Sec. 7. The Secretary of State shall appoint inspectors in such number as
2 he may deem necessary, for the purpose of inspecting and auditing the books and

3 records of licensees. It is the duty of licensees to submit all such records for
4 examinations, upon the demand of the Secretary of State, or his inspectors.

Sec. 8. Whoever:

2 1. Engages in the business of selling gasoline at retail after October 1,
3 1921, without having a license so to do; or

4 2. Wilfully fails or refuses to make the monthly returns, as required by
5 Section 4; or

6 3. Wilfully fails or refuses to pay the license tax, as provided in Sec-
7 tion 5; or

8 4. Violates any reasonable rule or regulation of the Secretary of State
9 relating to the keeping of books and records of business done; or

10 5. Refuses, upon demand, to submit for inspection, books and records per-
11 taining to business done;

12 Is guilty of a misdemeanor, and shall be fined not less than twenty-five dol-
13 lars (\$25.00), nor more than five hundred dollars (\$500.00), or imprisoned not
14 longer than six months, or be both fined and imprisoned.

15 In addition, if the violation consists in the failure to pay the license tax
16 required, the licensee shall be liable civilly upon his bond, for the amount of
17 tax due, and a penalty of fifty per cent of the amount due, together with all
18 costs.



- 1 Introduced by Mr. Pace, April 26, 1921.
- 2 Read by title, ordered printed and referred to Committee on Roads and Bridges.

A BILL

For an Act to add Sections 33a, 33b, 33c, 33d, 33e, 33f, 33g, and 33h to Article IV of
“An Act to revise the law in relation to roads and bridges,” approved June 27,
1913, in force July 1, 1913, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly: Sections 33a, 33b, 33c, 33d, 33e, 33f, 33g,*
3 *and 33h are added to Article IV of “An Act to revise the law in relation to*
4 *roads and bridges,” approved June 27, 1913, in force July 1, 1913, as amended,*
5 *the added sections to read as follows:*

Sec. 33a. *Public highways extending from any hard-surfaced road in any*
2 *county of this State may be constructed or improved with gravel or crushed*
3 *rock jointly by the State and the county in the manner hereinafter provided*
4 *Such roads shall be known as “Secondary State Aid Roads.”*

Sec. 33b. *Subject to the approval of the Department of Public Works and*
2 *Buildings, the supervisors in counties under township organization and the*

3 board of county commissioners in counties not under township organization
 4 shall designate the highways in their respective counties which shall be Secondary
 5 State Aid Roads at their next regular or special meeting after this amendatory
 6 Act takes effect in the same manner as State Aid Roads were designated.

7 Maps shall be prepared showing the highways selected and in the event of
 8 failure to designate within the period limited, the Department of Public Works
 9 and Buildings shall make the selection as is provided in the case of State Aid
 10 Roads.

11 The conditions and limitations upon the selection and total mileage in any
 12 county of State Aid Roads as provided in Section 11 of Article IV of the Act
 13 to which this is an amendment, shall apply and govern in the case of Secondary
 14 State Aid Roads.

Sec. 33c. The Secondary Road fund in the State treasury shall be used
 2 only for the purpose of paying the State's share of the construction and im-
 3 provement of Secondary State Aid Roads: Provided, that for a period of four
 4 years after this Act goes into effect any part of such fund may, at the direction
 5 of the Governor, be used for the construction of any other hard roads which the
 6 State is authorized by law to build. From such appropriations as the General
 7 Assembly may make from time to time from the Secondary Road fund for this
 8 purpose, the Department of Public Works and Buildings shall allot to the coun-
 9 ties of the State their proportionate share in the same manner as is provided for
 10 the allotment of State funds for State Aid Roads.

11 All the provisions and conditions limiting the allotment of State Aid funds
 12 shall apply to and govern allotments for Secondary State Aid Roads.

Sec. 33d. In case any county desires to construct Secondary State Aid
 2 Roads more rapidly than its allotment from the State for this purpose will per-
 3 mit, it may do so in accordance with the provisions of Section 15d of the Act to
 4 which this is an amendment.

Sec. 33e. *The proceedings for the construction of Secondary State Aid Roads, the action of the county board, the examination and approval of the Department of Public Works and Buildings, the acquisition of private property for this purpose, the construction and acceptance of Secondary State Aid Roads shall all be in accordance with the provisions relating to State Aid Roads.*

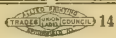
Sec. 33f. *Secondary State Aid Roads may be constructed or improved on county lines, and such construction or improvement shall be in accordance with the provisions in Section 31 of the Act to which this is an amendment.*

Sec. 33g. *Upon the acceptance of an improvement upon a Secondary State Aid Road, payment shall be made by the State and the county in the same manner as for State Aid Roads.*

The payment of the State's share shall be as directed in "An Act in relation to State finance," approved June 10, 1919, in force July 1, 1919, together with any future amendments.

The State may itself construct Secondary State Aid Roads in the same manner as is provided for State Aid Roads, the county making its contribution of not more than one-half of the estimated cost.

Sec. 33h. *Secondary State Aid Roads shall be maintained jointly by the State and the county in the manner provided for the maintenance of a gravel or macadam State Aid Road.*



- 1 Introduced by Mr. Smejkal, April 26, 1921.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act making appropriations for the State charitable, penal and reformatory institutions.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 represented in the General Assembly: There is appropriated to the Depart-
3 ment of Public Welfare payable from the general revenue fund, for the sup-
4 port, operation, maintenance and expenses of the several State charitable,
5 penal and reformatory institutions until the expiration of the first fiscal quarter
6 after the adjournment of the next General Assembly, the sum of eighteen mil-
7 lion, eight hundred fifteen thousand, seven hundred and ninety-two dollars
8 (\$18,815,792) in the following items:

<i>9</i> For Salaries and Wages.....	\$ 7,696,396
<i>10</i> For Office Expenses	\$ 100,090
<i>11</i> For Travel	\$ 130,430
<i>12</i> For Operation	\$ 8,473,471
<i>13</i> For Repairs and Equipment.....	\$ 2,351,405

14	For Contingencies	\$ 45,000
15	For Free Circulating Library for the Blind	\$ 4,000
16	For Returning Escapes	\$ 15,000

Sec. 2. The amounts herein appropriated in the several items set forth
in Section 1 of this Act shall be apportioned among the several State char-
itable, penal and reformatory institutions as nearly as possible, as follows:

4 TO THE ELGIN STATE HOSPITAL:

5	For Salaries and Wages.....	\$ 444,660
6	For Office Expenses	\$ 5,000
7	For Travel	\$ 6,000
8	For Operation	\$ 531,066
9	For Repairs and Equipment.....	\$ 150,086
10	For Contingencies	\$ 2,000

11 (Total for Elgin State Hospital, \$1,138,812.)

12 TO THE KANKAKEE STATE HOSPITAL:

13	For Salaries and Wages.....	\$ 709,588
14	For Office Expenses	\$ 8,900
15	For Travel	\$ 7,000
16	For Operation	\$ 894,821
17	For Repairs and Equipment.....	\$ 257,748
18	For Contingencies	\$ 2,000

19 (Total for Kankakee State Hospital, \$1,880,057.)

20 TO THE PSYCHOPATHIC INSTITUTE:

21	For Salaries and Wages.....	\$ 98,580
22	For Office Expenses	\$ 1,200
23	For Travel	\$ 3,500
24	For Operation	\$ 2,970
25	For Repairs and Equipment.....	\$ 3,200

26 (Total for Psychopathic Institute, \$109,450.)

27 TO THE JACKSONVILLE STATE HOSPITAL:

28	For Salaries and Wages.....	\$	445,594
29	For Office Expenses	\$	5,200
30	For Travel	\$	8,680
31	For Operation	\$	462,902
32	For Repairs and Equipment.....	\$	132,285
33	For Contingencies	\$	2,000
34	(Total for Jacksonville State Hospital, \$1,056,661.)		

35 TO THE ANNA STATE HOSPITAL:

36	For Salaries and Wages.....	\$	423,090
37	For Office Expenses	\$	4,680
38	For Travel	\$	5,000
39	For Operation	\$	439,038
40	For Repairs and Equipment.....	\$	117,590
41	For Contingencies	\$	2,000
42	(Total for Anna State Hospital, \$991,398.)		

43 TO THE WATERTOWN STATE HOSPITAL:

44	For Salaries and Wages.....	\$	432,184
45	For Office Expenses	\$	3,000
46	For Travel	\$	5,200
47	For Operation	\$	415,679
48	For Repairs and Equipment.....	\$	115,890
49	For Contingencies	\$	2,000
50	(Total for Watertown State Hospital, \$973,953.)		

51 TO THE PEORIA STATE HOSPITAL:

52	For Salaries and Wages.....	\$	451,184
53	For Office Expenses	\$	3,800
54	For Travel	\$	5,000

55	For Operation	\$ 603,191
56	For Repairs and Equipment	\$ 129,758
57	For Contingencies	\$ 2,000
58	(Total for Peoria State Hospital, \$1,194,933.)	

59 TO THE CHESTER STATE HOSPITAL:

60	For Salaries and Wages.....	\$ 91,800
61	For Office Expenses	\$ 800
62	For Travel	\$ 800
63	For Operation	\$ 66,900
64	For Repairs and Equipment.....	\$ 14,440
65	For Returning Escapes	\$ 1,000
66	For Contingencies	\$ 1,000
67	(Total for Chester State Hospital, \$176,740.)	

68 TO THE CHICAGO STATE HOSPITAL:

69	For Salaries and Wages.....	\$ 788,392
70	For Office Expenses	\$ 8,600
71	For Travel	\$ 10,800
72	For Operation	\$ 850,278
73	For Repairs and Equipment.....	\$ 235,932
74	For Contingencies	\$ 2,000
75	(Total for Chicago State Hospital, \$1,896,002.)	

76 TO THE ALTON STATE HOSPITAL:

77	For Salaries and Wages.....	\$ 240,000
78	For Office Expenses	\$ 3,700
79	For Travel	\$ 3,000
80	For Operation	\$ 278,080
81	For Repairs and Equipment.....	\$ 95,271
82	For Contingencies	\$ 2,000
83	(Total for Alton State Hospital, \$622,051.)	

84 TO THE DIXON STATE HOSPITAL FOR EPILEPTICS AND DIXON
85 STATE COLONY FOR FEEBLE-MINDED:

86	For Salaries and Wages.....	\$ 216,170
87	For Office Expenses	\$ 2,400
88	For Travel	\$ 3,000
89	For Operation	\$ 333,894
90	For Repairs and Equipment.....	\$ 160,320
91	For Contingencies	\$ 2,000
92	(Total for Dixon State Hospital for Epileptics and Dixon State Colony for	
93	Feeble-Minded, \$717,784.)	

94 TO THE LINCOLN STATE SCHOOL AND COLONY:

95	For Salaries and Wages.....	\$ 455,220
96	For Office Expenses	\$ 3,800
97	For Travel	\$ 5,600
98	For Operation	\$ 593,241
99	For Repairs and Equipment.....	\$ 113,948
100	For Contingencies	\$ 2,000
101	(Total for Lincoln State School and Colony, \$1,173,809.)	

102 TO THE ILLINOIS SCHOOL FOR THE DEAF:

103	For Salaries and Wages.....	\$ 323,064
104	For Office Expenses	\$ 1,750
105	For Travel	\$ 3,100
106	For Operation	\$ 122,192
107	For Repairs and Equipment.....	\$ 62,185
108	For Contingencies	\$ 2,000
109	(Total for Illinois School for Deaf, \$514,291.)	

110 TO THE ILLINOIS SCHOOL FOR THE BLIND:

111	For Salaries and Wages.....	\$ 161,950
112	For Office Expenses	\$ 2,600

113	For Travel	\$	5,000
114	For Operation	\$	63,771
115	For Repairs and Equipment.....	\$	39,998
116	For Contingencies	\$	1,000
117	For Free Circulating Library for the Blind	\$	4,000
118	(Total for Illinois School for Blind, \$278,319.)		

119 TO THE ILLINOIS INDUSTRIAL HOME FOR THE BLIND:

120	For Salaries and Wages.....	\$	38,848
121	For Office Expenses	\$	1,670
122	For Travel	\$	200
123	For Operation	\$	27,995
124	For Repairs and Equipment.....	\$	11,700
125	For Contingencies	\$	1,000
126	(Total for Illinois Industrial Home for Blind, \$81,413.)		

127 TO THE ILLINOIS SOLDIERS' AND SAILORS' HOME:

128	For Salaries and Wages.....	\$	311,994
129	For Office Expenses	\$	1,600
130	For Travel	\$	500
131	For Operation	\$	346,884
132	For Repairs and Equipment.....	\$	108,046
133	For Contingencies	\$	2,000
134	(Total for Illinois Soldiers' and Sailors' Home, \$771,024.)		

135 TO THE SOLDIERS' WIDOWS' HOME OF ILLINOIS.

136	For Salaries and Wages.....	\$	40,920
137	For Office Expenses	\$	1,320
138	For Travel	\$	400
139	For Operation	\$	39,460
140	For Repairs and Equipment.....	\$	18,826
141	For Contingencies	\$	1,000
142	(Total for Soldiers' Widows' Home of Illinois, \$101,926.)		

143 TO THE ILLINOIS SOLDIERS' ORPHANS' HOME:

144	For Salaries and Wages.....	\$	172,916
145	For Office Expenses	\$	2,000
146	For Travel	\$	1,300
147	For Operation	\$	200,088
148	For Repairs and Equipment.....	\$	52,418
149	For Contingencies	\$	2,000
150	(Total for Illinois Soldiers' Orphans' Home, \$430,722.)		

151 TO THE ILLINOIS CHARITABLE EYE AND EAR INFIRMARY:

152	For Salaries and Wages.....	\$	155,240
153	For Office Expenses	\$	2,900
154	For Travel	\$	11,650
155	For Operation	\$	80,023
156	For Repairs and Equipment.....	\$	8,650
157	For Contingencies	\$	1,000
158	(Total for Illinois Charitable Eye and Ear Infirmary, \$259,463.)		

159 TO THE STATE TRAINING SCHOOL FOR GIRLS:

160	For Salaries and Wages.....	\$	184,640
161	For Office Expenses	\$	3,800
162	For Travel	\$	6,000
163	For Operation	\$	162,945
164	For Repairs and Equipment.....	\$	52,075
165	For Contingencies	\$	2,000
166	(Total for State Training School for Girls, \$411,460.)		

167 TO THE ST. CHARLES SCHOOL FOR BOYS:

168	For Salaries and Wages.....	\$	293,720
169	For Office Expenses	\$	6,400
170	For Travel	\$	11,000

171	For Operation	\$	378,378
172	For Repairs and Equipment.....	\$	95,740
173	For Contingencies	\$	2,000
174	(Total for St. Charles School for Boys, \$787,238.)		

175 TO THE ILLINOIS STATE PENITENTIARY:

176	For Salaries and Wages	\$	432,682
177	For Office Expenses	\$	6,100
178	For Travel	\$	6,200
179	For Operation	\$	643,854
180	For Repairs and Equipment.....	\$	56,250
181	For Returning Escapes	\$	6,000
182	For Contingencies	\$	2,000
183	(Total for Illinois State Penitentiary, \$1,153,086.)		

184 TO THE SOUTHERN ILLINOIS PENITENTIARY:

185	For Salaries and Wages.....	\$	278,800
186	For Office Expenses	\$	6,200
187	For Travel	\$	8,000
188	For Operation	\$	425,660
189	For Repairs and Equipment.....	\$	79,692
190	For Returning Escapes	\$	4,000
191	For Contingencies	\$	2,000
192	(Total for Southern Illinois Penitentiary, \$804,352.)		

193 TO THE ILLINOIS STATE REFORMATORY:

194	For Salaries and Wages.....	\$	262,000
195	For Office Expenses	\$	7,470
196	For Travel	\$	7,000
197	For Operation	\$	409,618
198	For Repairs and Equipment.....	\$	77,702

199	For Returning Escapes	\$	4,000
200	For Contingencies	\$	2,000
201	(Total for Illinois State Reformatory, \$769,790.)		

202 TO THE ILLINOIS WOMAN'S PRISON:

203	For Salaries and Wages	\$	38,100
204	For Office Expenses	\$	500
205	For Travel	\$	500
206	For Operation	\$	21,368
207	For Repairs and Equipment.....	\$	10,900
208	For Contingencies	\$	1,000
209	(Total for Illinois Woman's Prison, \$72,368.)		

210 TO THE ILLINOIS STATE FARM:

211	For Salaries and Wages.....	\$	61,860
212	For Office Expenses	\$	1,200
213	For Travel	\$	1,000
214	For Operation	\$	50,875
215	For Repairs and Equipment.....	\$	8,720
216	For Contingencies	\$	2,000
217	(Total for Illinois State Farm, \$125,655.)		

218 TO THE CENTRAL GROUP HOSPITALS:

219	For Salaries and Wages.....	\$	20,000
220	For Office Expenses	\$	2,000
221	For Travel	\$	1,000
222	For Operation	\$	25,000
223	For Repairs and Equipment.....	\$	125,000
224	For Contingencies	\$	1,000
225	(Total for Central Group Hospitals, \$174,000.)		

226

TO THE CRIMINOLOGIST:

227	For Salaries and Wages.....	\$	123,200
228	For Office Expenses	\$	1,500
229	For Travel	\$	4,000
230	For Operation	\$	3,300
231	For Repairs and Equipment.....	\$	17,035
232	(Total for Criminologist, \$149,035.).		

Sec. 3. There is appropriated to the Department of Public Welfare pay-

2 able from the general revenue fund, for permanent improvements and land at
 3 the several State charitable, penal and reformatory institutions for the two
 4 fiscal years beginning July 1, 1921, the sum of Two million, nine hundred fifty
 5 thousand, two hundred dollars (\$2,950,200) to be apportioned among the sev-
 6 eral institutions as follows:

7 FOR PERMANENT IMPROVEMENTS:

8	To the Elgin State Hospital.....	\$	125,100
9	To the Kankakee State Hospital.....	\$	48,000
10	To the Jacksonville State Hospital.....	\$	50,500
11	To the Anna State Hospital.....	\$	88,000
12	To the Watertown State Hospital.....	\$	55,600
13	To the Peoria State Hospital.....	\$	41,500
14	To the Chicago State Hospital.....	\$	109,700
15	To the Alton State Hospital.....	\$	32,500
16	To the Dixon State Hospital for Epileptics and Dixon State Colony		
17	for Feeble-Minded	\$	544,000
18	To the Lincoln State School and Colony	\$	81,000
19	To the Illinois School for the Deaf.....	\$	3,000
20	To the Illinois School for the Blind.....	\$	50,100
21	To the Illinois Soldiers' and Sailors' Home	\$	50,500
22	To the Soldiers' Widows' Home of Illinois	\$	52,000

tions," approved June 17, 1919, in force July 1, 1919, to the following charitable and penal institutions there is hereby reappropriated to such institutions the following unexpended balances of these appropriations on April 16, 1921:

TO THE ELGIN STATE HOSPITAL:

For Permanent Improvements.....\$ 99,100.80

TO THE JACKSONVILLE STATE HOSPITAL:

For Permanent Improvements.....\$ 32,853.96

For Land.....\$ 40,000.00

TO THE ANNA STATE HOSPITAL:

For Permanent Improvements.....\$112,889.50

TO THE WATERTOWN STATE HOSPITAL:

For Permanent Improvements.....\$ 29,601.50

TO THE CHICAGO STATE HOSPITAL:

For Permanent Improvements.....\$ 48,573.63

For New Sewer Outlet.....\$ 20,000.00

TO THE ALTON STATE HOSPITAL:

For Permanent Improvements.....\$436,922.80

TO THE DIXON STATE HOSPITAL FOR EPILEPTICS:

For Permanent Improvements.....\$240,096.60

TO THE DIXON STATE COLONY FOR FEEBLE-MINDED:

For Permanent Improvements.....\$368,250.85

TO THE INDUSTRIAL HOME FOR THE BLIND:

For Rewiring Main Building.....\$ 2,500.00

27	TO THE ILLINOIS SOLDIERS' ORPHANS' HOME:	
28	For Permanent Improvements.....	\$ 88,474.23
29	For Cottage.....	\$ 19,595.08
30	TO THE ILLINOIS CHARITABLE EYE AND EAR INFIRMARY:	
31	For Buildings.....	\$308,757.34
32	TO THE STATE TRAINING SCHOOL FOR GIRLS:	
33	For Permanent Improvements.....	\$ 49,408.71
34	TO THE ST. CHARLES SCHOOL FOR BOYS:	
35	For Permanent Improvements.....	\$ 46,567.37
36	TO THE ILLINOIS STATE REFORMATORY:	
37	For Contribution to Cost of Septic Tank.....	\$ 5,000.00
38	TO THE ILLINOIS STATE FARM:	
39	For Permanent Improvements.....	\$ 77,307.29
40	TO THE PSYCHOPATHIC HOSPITAL:	
41	For Permanent Improvements.....	\$ 89,144.60

Sec. 7. Out of the appropriations made in an Act entitled, "An Act making
 2 appropriations for the Illinois Surgical Institute for Children," approved May
 3 15, 1919, and in force July 1, 1919, there is hereby reappropriated to such insti-
 4 tution the unexpended balance of \$46,399.32 on April 16, 1921.

Sec. 8. Out of the appropriation "For Operation and Repairs" for the
 2 period ending June 30, 1921, which is provided for in an "Act making addi-
 3 tional appropriations to the Department of Public Welfare for State charitable,
 4 penal and reformatory institutions," approved March 17, 1921, there is hereby
 5 reappropriated \$1,136,221.83 of the unexpended balance of such an appropria-
 6 tion on April 16, 1921, or so much thereof as may be necessary, to pay a frac-

7 tional part of the payrolls of the operating forces of officers and employes in
8 these institutions for the month of June, 1921.

Sec. 9. The appropriations herein made shall be subject to all the provi-
2 sions, conditions and limitations of an Act entitled, "An Act in Relation to
3 State Finance," approved June 10, 1919, in force July 1, 1919.



1 Introduced by Mr. Bancroft, April 27, 1921.

2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend an Act entitled, "An Act to authorize the formation of companies for the detection and apprehension of horse thieves and other felons," returned by the Governor July 7, 1885, to the Secretary of the State, without his approval or veto, as subsequently amended by an Act in force July 1, 1887, by amending Sections 5, 6 and 7 thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That "An Act to authorize the formation
3 of companies for the detection and apprehension of horse thieves and other
4 felons," returned by the Governor July 7, 1885, to the Secretary of State, with-
5 out his approval or veto, and is therefore now in force July 1, 1887, be, and the
6 same is hereby amended by amending Sections 5, 6 and 7 thereof to read as
7 follows:

Sec. 5. Such companies shall have power to call to their aid the peace
2 officers of this State in accordance with law in the pursuit and apprehension of
3 criminals and the recovery of stolen property, and at any regular meeting

4 of any company, such company may elect from their membership persons to be
 5 recommended to the sheriff for appointment as deputy sheriffs; but not more
 6 than ten such members shall be so elected and recommended by any company
 7 for appointment as deputy sheriffs in any county. In case of vacancy or vacan-
 8 cies on account of the death, removal or resignation of any member so elected and
 9 appointed as deputy sheriff, such company may elect and recommend another
 10 member or members for appointment to fill such vacancy or vacancies.

Sec. 6. It shall be the duty of any company so forming articles of associa-
 2 tion to provide a suitable book for the recording of its articles of association
 3 and the name of each member as subscribed to the articles of association and
 4 the names of all new members, the date the same were taken in, the names of all
 5 members withdrawn or expelled and the date of the same.

Sec. 7. Such companies heretofore organized authorizing the formation of
 2 corporations for other than profits, or any act amendatory thereof or by an Act
 3 entitled "An Act for the formation of companies for the detection and appre-
 4 hension of horse thieves and other felons," in force July 7, 1885, shall have all
 5 the benefits of this Act during their existence, provided such companies hereto-
 6 fore organized shall comply with the provisions of the fifth section of this Act
 7 in relation to the *election and recommendation for appointment of deputy*
 8 *sheriffs*, and of the provisions of the sixth section of this Act in relation to pro-
 9 viding and keeping a book of record of the names of members, and the articles
 10 of association, charter or permit.

Sec. 2. Whereas, an emergency exists, this Act shall be in full force from
 2 and after its passage.



- 1 Introduced by Mr. Bancroft, April 27, 1921.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act authorizing exhibits by the State of Illinois at the various agricultural fairs within the State, and making an appropriation therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* The various officers and departments of
3 the executive branch of the State government are authorized, at the direction in
4 writing of the Governor, to make exhibits of an educational nature, depicting
5 the functions and activities of the agencies of State government at the various
6 agricultural fairs which may be held within this State.

Sec. 2. The sum of fifty thousand dollars \$(50,000) is appropriated to the
2 Department of Agriculture to pay the costs, including transportation, operation
3 and maintenance of exhibits which may be made by the various officers and de-
4 partments of the State government at the various agricultural fairs which may
5 be held within this State.

Sec. 3. The Auditor of Public Accounts shall draw his warrant on this ap-
2 propriation, upon the presentation of itemized vouchers approved by the Gov-
3 ernor.



1 Adopted May 17, 1921.

AMENDMENT NO. 1.

Amend the title to printed House Bill No. 708 to read as follows:

“A BILL

3 For an Act authorizing exhibits by the State of Illinois at the various expo-
4 sitions and agricultural fairs within the State, and making an appropriation
5 therefor.”

AMENDMENT NO. 2.

Amend printed House Bill No. 708, on page 1, in Section 2, by striking out
2 the words and figures “fifty thousand dollars (\$50,000)” and inserting in lieu
3 thereof the words and figures “seventy-five thousand dollars (\$75,000).”

AMENDMENT NO. 3.

Amend printed House Bill No. 708, on page 1, in Section 2, line 4, by insert-
2 ing after the word “various” the words “expositions and”

AMENDMENT NO. 4.

Amend printed House Bill No. 708, on page 1, by inserting after Section 3,
2 a new section to read as follows:

3 “Sec. 4. Whereas, an emergency exists, therefore this Act shall be in effect
4 from and after its passage.”



- 1 Introduced by Mr. La Porte, April 27, 1921.
- 2 Read by title, ordered printed and refererd to Comitmttee on Insurance.

A BILL

For an Act entitled, "An Act providing for the licensing of insurance agents, insurance Brokers and Insurance Solicitors; prohibiting rebating and providing penalties for violation."

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* No person shall procure, receive or for-
3 ward applications for insurance, or in any way act for or in behalf of any insur-
4 ance company, association or other insurer unless such company, association or
5 other insurer is duly authorized to do business in this State, nor unless such per-
6 son is a resident of this State and duly authorized to act as an insurance agent by
7 the Department of Trade and Commerce. Upon written notice by an insurance
8 company, association or other insurer authorized to transact business in this
9 State, of its appointment of a person to act as its agent, the Department of Trade
10 and Commerce shall, if satisfied that the appointee is a suitable person and in-
11 tends to hold himself out in good faith as an insurance agent, issue to him a lic-
12 ense, which shall state, in substance, that the Company, association or other in-
13 surer is authorized to do business in this State and that the person named there-

14 in is the constituted agent of the Company, association or other insurer, in this
15 State for the transaction of such business as it is authorized to transact therein.
16 Such notice shall be upon a form furnished by the Department of Trade and
17 Commerce, and shall be accompanied by a statement under oath by the appoin-
18 tee, which shall give his name, age residence, present occupation, his occupation
19 for the five years next preceding the date of notice and such other information,
20 if any, as the Department of Trade and Commerce may require, upon a blank
21 furnished by said Department. The Department of Trade and Commerce after
22 the granting of such license, for a cause shown, and after a hearing, may deter-
23 mine any person so appointed, or any person heretofore appointed as agent, to
24 be unsuitable to act as such agent, and shall thereupon revoke such license and
25 notify both the company, association or other insurer, and the agent of such re-
26 vocation; *provided*, that any action taken by the Department of Trade and Com-
27 merce under the provisions of this Act, shall be subject to review by any court of
28 competent jurisdiction. Unless revoked by the Department of Trade and Com-
29 merce, or unless the Company, association or other insurer by written notice to
30 said department, cancels the agent's authority to act for it, such license and any
31 other license issued to an agent or any renewal thereof shall expire on the last
32 day of January next after its issue; but any license issued and in force when this
33 Act takes effect or thereafter issued, may in the discretion of the Department of
34 Trade and Commerce be renewed annually upon the payment of fee fixed by law,
35 by renewal certificate without requiring the detailed information mentioned in
36 this Act.

Sec. 2. The Department of Trade and Commerce may, upon the payment of
2 ten dollars issue to any suitable person resident in the State of Illinois, or any
3 other State of the Union, a license to act as an insurance broker to negotiate
4 contracts of insurance or reinsurance with any duly qualified insurance com-
5 pany, association or other insurer, or agent in this State and not otherwise, up-
6 on the following conditions: The applicant for such license shall file with the

7 Department of Trade and Commerce an application which shall be in writing
8 upon a form to be provided by said Department of Trade and Commerce, and
9 shall be executed by the applicant under oath and kept on file in said department.
10 Such application shall state the name, age, residence and occupation of the appli-
11 cant at the time of making application, his occupation for five years next preced-
12 ing the date of the filing of the application and shall state that the applicant in-
13 tends to hold himself out and carry on business in good faith as an insurance
14 broker, and shall give such other information, if any, as the Department of Trade
15 and Commerce may require. The application shall be accompanied by a state-
16 ment upon a blank, furnished by the Department of Trade and Commerce, as to
17 the trustworthiness and competency of the applicant, signed by at least three rep-
18 utable citizens of this State. If the Department of Trade and Commerce is sat-
19 isfied that the applicant is trustworthy and competent, and intends to hold him-
20 self out and carry on business in good faith as an insurance broker, it may issue
21 to him the license applied for. The Department of Trade and Commerce may at
22 any time after the granting of a broker's license, for cause shown, and after
23 a hearing, determine that the license has not complied with the insurance laws
24 or is not trustworthy or competent or is not holding himself out and actually
25 carrying on business as an insurance broker or is not a suitable person to act as
26 such broker, or has placed insurance on risks in this State in companies, associ-
27 ations or other insurers not authorized to transact business in this State, and
28 said department, shall thereupon revoke the license of such broker and notify
29 him that such license has been revoked; *provided*, that any action taken by the
30 Department of Trade and Commerce under the provisions of this Act shall be
31 subject to review by any court of competent jurisdiction. Such broker's license
32 shall expire on the last day of January next after its issue unless sooner revoked
33 by the Department of Trade and Commerce for cause. The Department of Trade
34 and Commerce shall publish a notice of the revocation of the broker's license in
35 such manner as it deems proper for the protection of the public. Broker's li-
36 censes issued on application as herein provided may, in the discretion of the De-

37 partment of Trade and Commerce, be renewed annually upon the payment of the
38 fee fixed by law without requiring anew the detailed information in the original
39 application.

Sec. 3. Any agent duly authorized and licensed as provided in the preced-
2 ing sections may employ such person or persons resident of this State as he may
3 desire to represent him as a solicitor, but no such person will represent himself
4 by advertisements or otherwise, as agent of insurance companies, associations or
5 other insurers, for which his employer may be the authorized agent, and every
6 such person shall in all instances represent himself as employee of said author-
7 ized agent. Upon written notice by any such authorized and duly licensed agent
8 that he has employed such person as a solicitor, the department of Trade and
9 Commerce shall, is satisfied that such employee is a suitable person and intends
10 to hold himself out in good faith as a solicitor of insurance, issue to him a
11 license in such form as may be prepared by said Department, and such notice shall
12 be upon a form furnished by said department and shall be accompanied by a
13 statement under oath by the employee, which shall give his name, age, residence,
14 present occupation, his occupation for the five years next preceding the date of
15 the notice, and such other information, if any, as the Department of Trade and
16 Commerce may require. Said Department of Trade and Commerce may at any
17 time after the granting of such license to such employee, for a cause shown, and
18 after hearing, determine any person so employed to be unsuitable to act as such
19 solicitor, and shall thereupon revoke such license and notify both the agent and
20 the employee of such revocation; *provided*, that any action taken by the Depart-
21 ment of Trade and Commerce under the provisions of this Act shall be subject to
22 review by any court of competent jurisdiction. Unless revoked by the Depart-
23 ment of Trade and Commerce or unless the agent by written notice to said De-
24 partment, cancels the employee's authority as such solicitor, such license and any
25 other license issued to an employee or any renewal thereof, shall expire on the
26 last day of January next after its issue; but any such license may, in the discre-

tion of the Department of Trade and Commerce, be renewed annually by the payment fee fixed by law by renewal certificate without requiring the detailed information provided in this section.

The agent giving such notice shall pay to the Department of Trade and Commerce a fee of one dollar for every such employee's license and renewal thereof.

Sec. 4. It shall be the duty of the Department of Trade and Commerce to withhold any license applied for or revoke any license issued to any agent, broker or solicitor, when it is satisfied that the principal use of such license is to effect insurance upon the property of such agent, broker or solicitor, or to evade or violate any provisions of the law of this State.

Sec. 5. It shall be unlawful for any insurance company, association or other insurer authorized to do business in this State to pay or allow or cause to be paid or allowed, for negotiating any contract for insurance on any property within this State, any commission, consideration, money or other thing of value, to any person not licensed in accordance with the provisions of this Act.

Sec. 6. No insurance company, officer, agent, broker solicitor nor representative shall make or permit any distinction or discrimination in favor of insurers in dividends or other benefits, nor shall any such Company, association or other insurer officer, agent, broker, solicitor or representative pay or offer to pay or allow or give, directly or indirectly, as an inducement to secure insurance or in consideration thereof, any rebate of premium payable on the policy or any special favor or advantage or benefit to accrue therein or thereby, or any paid employment or contract for services of any kind, or any valuable consideration or inducement not specified in the policy contract of insurance; nor give, sell or purchase, or offer to give, sell or purchase as inducement to secure insurance or in connection therewith, any stocks, bonds or other securities of any insurance company or corporation, association or partner-

13 ship, or any dividends or profits accruing thereon, or anything whatever of
14 value, not specified in the policy.

Sec. 7. The provisions hereof shall not apply to farm mutuals, fraternal
2 beneficiary societies, nor life insurance companies.

Sec. 8. Violation of the provisions of this Act shall be a misdemeanor
2 and any such violation shall be punishable by a fine of not less than One Hun-
3 dred dollars nor more than One Thousand dollars, to be recovered in any court
4 of competent jurisdiction in an action for the use of the people of the State of
5 Illinois upon the relation of the Director of the Department of Trade and
6 Commerce or the Attorney General or the State's Attorney of any county with-
7 in this State.

Sec. 9. Nothing in this Act shall be construed to require any duly licen-
2 sed agent to secure a broker's license.

Sec. 10. All laws or parts of laws in conflict herewith are hereby re-
2 pealed.



1 Amendments to Printed House Bill No. 709.

2 Adopted May 25, 1921.

AMENDMENT NO. 1.

Amend printed House Bill No. 709, by amending the title to read as follows.

“A BILL

For an Act providing for the licensing of insurance agents, insurance brokers and insurance solicitors; prohibiting rebating and providing penalties for violation.”

AMENDMENT NO. 2.

Amend printed House Bill No. 709 on pages 1 and 2, by striking out all of section 1 after the enacting clause and inserting in lieu thereof the following:

“No person shall procure, receive or forward applications for insurance or in any way act for or in behalf of any insurance company, association or other insurer, unless such person is licensed by the Department of Trade and Commerce as an insurance agent.

A person is qualified to receive a license to do business as an insurance agent

1. Who is a resident of this State;

2. Who has been authorized by any insurance company, association or other insurer, to transact business as the agent of such insurer; and

3. Who is of good moral character.

Any person desiring to obtain a license to do business as an insurance agent shall apply therefore to the Department of Trade and Commerce upon blanks furnished by the department. The application shall state under oath

16 the name, age, residence, present occupation, occupation for the five years last
17 past and such other information as the department may require.

18 The application shall be accompanied by a written notice by an insurance
19 company, association or other insurer authorized to transact business in this
20 State, of its appointment of the applicant as agent, and shall also be accom-
21 panied by evidence verified by oath, and satisfactory to the department that the
22 applicant is a person of good moral character.

23 When the conditions herein prescribed have been complied with, the De-
24 partment of Trade and Commerce shall issue to the applicant a license to do
25 business as an insurance agent.

26 Any such license may be revoked by the Department of Trade and Com-
27 merce for any one or more of the following reasons:

- 28 1. The termination of the licensee's authority to act as agent for the insur-
29 ance company, association or other insurer;
- 30 2. Conviction of a felony;
- 31 3. Wilful failure or refusal to comply with any provision of the laws of
32 this State relating to insurance; or
- 33 4. Any unprofessional or dishonorable conduct.

34 The Department of Trade and Commerce may not, however, refuse to issue
35 or renew, nor revoke any license to act as agent for any cause, unless the per-
36 son accused has been given at least 10 days' notice in writing of the charge
37 against him and a public hearing by the Department of Trade and Commerce.

38 Upon the hearing of any such proceeding, the Director of Trade and Com-
39 merce, the Assistant Director of Trade and Commerce and the Superintendent
40 of Insurance may administer oaths and the Department of Trade and Com-
41 merce may procure, by its subpoena, the attendance of witnesses and the pro-
42 duction of relevant books and papers.

43 Any circuit court or any judge of a circuit court, either in term time or in
44 vacation, upon application either of the accused or of the Department of Trade
45 and Commerce, may, by order duly entered, require the attendance of wit-

46 nesses and the production of relevant books and papers before the Department
47 of Trade and Commerce in any hearing relating to the refusal suspension or
48 revocation of certificates of registration. Upon refusal or neglect to obey the
49 order of the court or judge, the court or judge may compel, by proceedings
50 for contempt of court, obedience of its or his order.

51 Any person to whom the department has refused to issue or renew a license
52 or whose license has been revoked by the Department of Trade and Commerce may,
53 within ten days after the order, appeal to the circuit court of Sangamon County
54 for the purpose of having the reasonableness or lawfulness of the order in-
55 quired into and determined. The person taking the appeal shall file with the
56 Department of Trade and Commerce, written notice of appeal. The depart-
57 ment shall, within five days thereafter, file with the clerk of the circuit court
58 of Sangamon County, a certified copy of the order appealed from, and within
59 ten days thereafter, a full record of the proceedings had before the depart-
60 ment, including a transcript of the testimony, together with all exhibits intro-
61 duced and considered by the department. The person taking the appeal, within
62 five days after serving notice upon the department, shall file a copy of the
63 notice with the clerk of the circuit court of Sangamon County, and the appeal
64 shall, thereupon, be docketed and tried without formal pleadings. No new or
65 additional evidence shall be introduced upon the trial of the appeal, but it shall
66 be heard on the record of the department as certified by it to the circuit court.
67 If it appears that the department fails to receive evidence properly proffered,
68 the court shall remand the case to the department, with instructions to receive
69 the testimony so proffered and rejected, and to enter an order based upon the
70 evidence theretofore taken, and such new evidence as it is directed to receive.
71 Upon hearing any such appeal, the court shall enter judgment either affirming
72 or setting aside the order of the department either refusing to issue or renew
73 or revoking the license.

74 Any license to engage in business as an insurance agent, heretofore issued
75 or hereafter issued, shall expire on the last day of January next after its issue,

76 but may be renewed during the month of January of each year upon applica-
 77 tion and payment to the Department of Trade and Commerce, of any fees fixed
 78 by law.”

AMENDMENT NO. 3.

Amend printed House Bill No. 709, on pages 2, 3 and 4, by striking all of
 2 section 2 and inserting in lieu thereof, the following:

“Sec. 2. No person shall transact business or offer to transact business as
 2 an insurance broker in the negotiation of contracts of insurance or of reinsur-
 3 ance with any qualified insurance company, association or other insurer or
 4 agent thereof in this State unless licensed by the Department of Trade and
 5 Commerce. Any person whether resident in this State or elsewhere desiring
 6 to obtain a license as an insurance broker shall apply therefor to the Depart-
 7 ment of Trade and Commerce upon blanks furnished by the department. The
 8 application shall state under oath the name, age, residence, present occupation
 9 and occupation during the five years last past and such other information as
 10 the Department of Trade and Commerce may require. The applicant shall also
 11 furnish to the department satisfactory evidence of his good moral character
 12 verified by the oath of at least three reputable citizens of this State and shall
 13 pay to the department a license fee of ten dollars. When the conditions herein
 14 prescribed have been complied with the Department of Trade and Commerce
 15 shall issue a license to transact business as an insurance broker.

16 Any such license may be revoked by the Department of Trade and Com-
 17 merce for any one or more of the following reasons:

- 18 1. That the licensee is not actually engaged in and carrying on the busi-
 19 ness of an insurance broker;
- 20 2. That the licensee has placed insurance on risks in this State with com-
 21 panies, associations or other insurers not authorized to transact business in
 22 this State;

23 3. Wilful failure or refusal to comply with any provision of the laws of
24 this State relating to insurance; and

25 4. That the licensee has been guilty of unprofessional or dishonorable
26 conduct.

27 Any such revocation or refusal to issue or renew the license as an insur-
28 ance broker shall be subject to the conditions and provisions of section 1 as to
29 notice, public hearing and right to appeal from the orders of the Department
30 of Trade and Commerce in exactly the same way that these provisions relate
31 to and govern the revocation or refusal to issue or renew licenses as an insur-
32 ance agent. The Department of Trade and Commerce shall publish notice of
33 revocation of all licenses as insurance brokers in such manner as may be
34 deemed proper for the protection of the public.

35 All licenses as insurance brokers shall expire on the last day of January
36 next after the date of issue, but shall be renewable during the month of Janu-
37 ary of each year upon application to the Department of Trade and Commerce
38 and payment of ten dollars (\$10.00) as a renewal fee.”

AMENDMENT NO. 4.

Amend printed House Bill No. 709 on pages 4 and 5, by striking out all of
2 section 3 and inserting in lieu thereof, the following:

“Sec. 3. No person shall engage in the solicitation of insurance for and as
2 the employe of any licensed insurance agent unless such person is licensed by
3 the Department of Trade and Commerce as a solicitor. A person is qualified
4 to receive a license as an insurance solicitor

5 1. Who is a resident of this State;

6 2. Who has been employed by a licensed insurance agent to devote his
7 entire time to the business of such agent under the personal direction and re-
8 sponsibility of such agent; and

9 3. Who is of good moral character.

10 Any person desiring to obtain a license as an insurance solicitor shall
 11 apply therefor to the Department of Trade and Commerce on blanks furnished
 12 by the department. The application shall state under oath the name, age, resi-
 13 dence, present occupation, occupation for the five years last past and such other
 14 information as the department may require. The application shall be accom-
 15 panied by written notice from a licensed insurance agent that he has employed
 16 the applicant as a solicitor and shall be accompanied by a license fee of one
 17 dollar (\$1.00), to be paid by the agent. In addition the applicant shall present
 18 evidence verified by oath and satisfactory to the department that he is a person
 19 of good moral character. When the conditions herein prescribed have been
 20 complied with, the department shall issue a license as an insurance solicitor.

21 The Department of Trade and Commerce may revoke any such license for
 22 any one or more of the following reasons:

- 23 1. The termination of the licensee's authority to act as solicitor for any
 24 licensed insurance agent;
- 25 2. Wilful failure or refusal to comply with any provision of the laws of
 26 this State relating to insurance;
- 27 3. Any unprofessional or dishonorable conduct.


28 All the provisions and conditions prescribed in section 1 relating to notice,
 29 public hearing and appeals from orders of the department revoking or refusing
 30 to issue or renew licenses, shall apply to licenses to act as insurance solicitor.

31 All licenses to act as insurance solicitor shall expire on the last day of
 32 January next after the date of issue, but may be renewed upon application to
 33 the Department of Trade and Commerce and payment to the department of the
 34 renewal fee of one dollar (\$1.00).''

AMENDMENT NO. 5.

Amend printed House Bill No. 709 on page 6, by striking out all of sec-
 2 tion 7 and inserting in lieu thereof, the following;

“Sec. 7. The provisions of this Act do not apply to mutual insurance com-
panies, reciprocal or inter-insurance exchanges, fraternal beneficiary societies
or life insurance companies.”

UNIVERSITY OF MICHIGAN
JAN 26 1926




- 1 Introduced by Mr. McCarthy, April 27, 1921.
- 2 Read by title, ordered printed and referred to Committee on Municipalities.

A BILL

For an Act to amend Section 1 of Article III of "An Act to revise the law in relation to township organization," approved and in force March 4, 1874, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 1 of Article III of "An Act to re-
3 vise the law in relation to township organization," approved and in force March
4 4, 1874, as amended, is amended to read as follows:

ARTICLE III.

Sec. 1. The county board or board of supervisors of each county, shall
2 have jurisdiction to alter the boundaries of towns, to change town lines and to
3 divide, enlarge and create new towns in their respective counties; and the county
4 board of board of supervisors may make alterations of the town boundaries, and
5 create a new town whenever, in any territory of not less than sixteen square
6 miles, three-fourths or more of the voters resident in such territory shall petition
7 for such new town: *Provided, however,* that such new territory proposed to be
8 organized into a new town shall contain at least two hundred legal voters: *Pro-*

9 *vided, further,* that the respective remaining portions of each of the towns from
10 which such new town shall be taken shall also contain not less than two hundred
11 legal voters and not less than sixteen square miles: *Provided, however,* the
12 county board or board of supervisors shall give notice thereof, by positing up
13 notices in not less than five of the most public places of tthe town interested, at
14 least sixty days before their final action; also, by publishing such notice at least
15 three times in some newspaper published in the county wherein said towns are
16 situated, if any shall be published therein: *Provided, further,* that no incorpo-
17 rated town shall be divided, except consent thereto is given by a majority of all
18 the electors in said town, notice that the question of dividing said town will be
19 submitted to the legal voters thereof having been given by the county clerk at
20 the same time, and in the same manner as the notice of general elections.

AMENDMENT TO

52d G. A.

HOUSE BILL NO. 710

1921



1 Adopted May 26, 1921.

AMENDMENT NO. 1.

Amend House Bill No. 710, printed bill, Article III, Sec. 1, line 4, by striking out the word “of” after the word “board” (first occurrence) and inserting the word “or”



1 Introduced by Mr. Castle, April 27, 1921.

2 Read by title, ordered printed and referred to Committee on Public Utilities and
Transportation.

A BILL

For an Act to amend the title of "An Act to authorize cities to acquire, construct, own, and to lease or operate public utilities and to provide the means therefor," approved June 26, 1913, in force July 1, 1913, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* The title of "An Act to authorize cities
3 to acquire, construct, own and to lease or operate public utilities and to provide
4 the means therefore," approved June 26, 1913, in force July 1, 1913, as amended,
5 is amended to read as follows:
6 "An Act to authorize cities, villages and incorporated towns to acquire, con-
7 struct, own, and to lease or operate public utilities and to provide the means
8 therefore."



- 1 Introduced by Mr. Mueller, April 27, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Section eight (8) of an Act entitled, "An Act to provide for the licensing of architects and to regulate the practice of architecture as a profession and to repeal certain Acts therein named," approved June 24th, 1919, in force July 1st, 1919.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That Section Eight (8) of an Act en-
3 titled, "An Act to provide for the licensing of architects and to regulate the
4 practice of architecture as a profession and to repeal certain Acts therein
5 named," approved June 24th, 1919, and in force July 1st, 1919, be amended so
6 as to read as follows:

Sec. 8. The Department of Registration and Education shall hold exami-
2 nations of applicants for certificates of registration as registered architects at
3 such times and places as it may determine. The examination of applicants for
4 certificates of registration as registered architects, where these applicants have
5 had less than ten years proved architectural practice as a principal or one of

6 a group of principals in charge of an architect's office, shall consist of written
7 and drafting tests supplemented by verbal examination at the discretion of the
8 Examining Committee, and shall embrace the following subjects:

9 (a) The planning, designing and construction of buildings.

10 (b) The strength of building materials.

11 (c) The principles of sanitation and ventilation as applied to buildings.

12 (d) The ability of the applicant to make practical application of his
13 knowledge in the ordinary professional work of an architect and in the duties
14 of a supervisor of mechanical work on buildings.

15 (e) The examinations of applicants for certificates of registration as reg-
16 istered architects, where the applicant shall have had ten or more years proved
17 architectural practice as a principal or one of the principals in charge of an
18 office engaged in the practice of architecture as a profession, shall be based on
19 attainment in practice as shown by exhibits of sketches, working drawings and
20 specifications prepared under the personal supervision of the applicant by au-
21 thenticated photographs of executed work and evidence of authorship, supple-
22 mented by a verbal quiz as to reasons for methods used and procedure shown
23 and by proof of skillful and honorable practice, or by any or all of these, which
24 in the judgment of the Examining Committee are necessary to determine the
25 applicant's qualifications as an architect, which shall be equivalent to or su-
26 perior in relative value to the requirements set forth in the preceding para-
27 graph of this section for an applicant having had less than ten years experience.

28 The Department of Registration and Education may by rule prescribe ad-
29 ditional subjects for examination.



- 1 Introduced by Mr. Tice, April 27, 1921.
- 2 Read by title, ordered printed and referred to Committee on Roads and Bridges.

A BILL

For an Act to amend Section 33 of "An Act to revise the law in relation to roads and bridges," approved June 27, 1913, in force July 1, 1913.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That Section 33 of "An Act to revise the law in relation to roads and bridges," approved June 27, 1913, in force July 1, 1913, be and the same is hereby amended to read as follows:

No public utility, company or person shall be granted any right, privilege or franchise in, upon or along any state aid road without the consent of the county board of the county wherein it is proposed to place, locate or operate the same. Such consent may be granted for any period not longer than twenty years upon petition of the company or person, upon such terms and conditions, not inconsistent with this Act, as such county board shall deem for the best interests of the public: Provided, the granting of any right, privilege or franchise in, upon or along any such state aid road to any public utility company or person shall not be to the exclusion of any other public utility company or person. Provided, fur-

14 *ther*, that before any such consent of the county board shall become effective the
15 said county board shall receive the approval of the *Department of Public Works*
16 *and Buidings* to the use of the said state aid road for such purpose and the condi-
17 tions upon which the same shall have been granted. *And, provided, further*, that
18 no such consent shall be granted by the *County Board* or approved by the *De-*
19 *partment of Public Works and Buildings* except upon the condition that *such*
20 *petitioner* will pay all damages to the owners of the property abutting upon said
21 state aid road which they may sustain by reason of the location or construction
22 *or operating of such public utility*, the same to be ascertained and paid in the
23 manner provided by law for the exercise of the right of eminent domain.



- 1 Introduced by Mr. Tice, April 27, 1921.
- 2 Read by title, ordered printed and referred to Committee on Roads and Bridges.

A BILL

For an Act to amend Section 11 of "An Act in relation to the construction and maintenance of rural post roads under and in accordance with an Act of Congress entitled, 'An Act to provide that the United States shall aid the States in the construction of rural post roads and for other purposes,' approved July 11, 1916, and known as the Federal Aid Road Act, approved June 27, 1917, in force July 1, 1917."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That Section 11 of the Act in relation to the construction and maintenance of rural post roads under and in accordance with an Act of Congress entitled, "An Act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, and known as the Federal Aid Road Act, approved June 27, 1917, in force July 1, 1917, be and the same is hereby amended to read as follows:

No public utility company or person shall be granted any right, privilege or franchise in, upon or along any Federal Aid Road without the consent of

11 *the Department of Public Works and Buildings.* Such consent may be granted
12 for any period not longer than twenty years upon petition of the company or
13 person desiring to use such road, upon such terms and conditions, not incon-
14 sistent with this Act, as said Department of Public Works and Buildings shall
15 deem for the best interests of the public. *The granting of any right, privilege*
16 *or franchise in, upon or along any such Federal Aid Road to any public utility*
17 *company or person shall not be to the exclusion of any other public utility com-*
18 *pany or person: Provided,* that no such consent shall be granted except upon
19 the condition that such petitioner will pay to the owners of the property abut-
20 ting upon such Federal Aid Road all damages which such owners may sustain
21 by reason of the location, placing or construction *or operating* of such public
22 utility, the same to be ascertained and paid in the manner provided by law
23 for the exercise of the right of eminent domain.



- 1 Introduced by Mr. Flagg, April 27, 1921.
- 2 Read by title, ordered printed and referred to Committee on Elections.

A BILL

For an Act to amend Sections 6 and 9 of "An Act to provide for the holding of primary elections by political parties," approved March 9, 1910, in force July 1, 1910, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Sections 6 and 9 of "An Act to provide
3 for the holding of primary elections by political parties," approved March 9,
4 1910, in force July 1, 1910, as amended, are amended to read as follows:

Sec. 6. A primary shall be held on the second Tuesday in April in every
2 year in which a President of the United States is to be elected, for the pur-
3 pose of electing delegates and alternate delegates to national nominating con-
4 ventions, and for the purpose of securing an expression of the sentiment and
5 will of the party voters with respect to candidates for nomination for the office
6 of President of the United States. A primary shall be held on the *second*
7 *Tuesday in April* in every year in which officers are to be voted for on the
8 first Tuesday after the first Monday in November of such year, for the nom-

9 ination of candidates for such offices as are to be voted for at such November
10 election.

11 A primary shall be held on the last Tuesday in February in each year, for
12 the nomination of such officers as are to be voted for on the first Tuesday in
13 April of such year.

14 A primary shall be held on the second Tuesday in March in each year, for
15 the nomination of such officers as are to be voted for on the third Tuesday in
16 April of such year.

17 A primary for the nomination for all other officers, nominations for which
18 are required to be made under the provisions of this Act, shall be held three
19 weeks preceding the date of the general election for such offices, respectively.

20 The polls shall be open from 6:00 o'clock A. M. to 5:00 o'clock P. M.

Sec. 9. (1) The State central committee shall be composed of one mem-
2 ber from each congressional district in the State, and shall be elected as
3 follows:

4 At the *April* primary held in the year A. D. 1922, and at the April pri-
5 mary held every *four* years thereafter, each primary elector may vote for one
6 candidate of his party for member of the State central committee for the con-
7 gressional district in which he resides. The State central committee of each
8 political party shall be composed of members elected from the several con-
9 gressional districts of the State, as herein provided, and of no other person or
10 persons whomsoever. The members of the State central committee shall, within
11 thirty days after their election, meet in the city of Springfield and organize
12 by electing from among their own number, a chairman, and may, at such time,
13 elect such officers from among their own number or otherwise, as they may
14 deem necessary or expedient. The outgoing chairman of the State central com-
15 mittee of the party shall, ten days before the meeting, notify each member of
16 the State central committee elected at the primary, of the time and place of
17 such meeting.

18 (2) At the April primary held *in April, 1922, and every four years there-*
19 *after*, each primary elector may write or attach in the space left on the pri-
20 mary ballot for that purpose, the name of one qualified elector of his party
21 in the precinct for member of his political party precinct committee. The one
22 having the highest number of votes shall be such committeeman of such party
23 for such precinct. In case of a tie, the primary judges shall cast lots. The
24 official returns of the primary judges shall show the name and address of the
25 committeemen of each political party in the county: *Provided, however*, the
26 provisions of this sub-section two (2) of section nine (9) shall not apply to
27 precincts within the territorial limits of an incorporated city or village having
28 a population of two hundred thousand or over.

29 (3) The county central committee of each political party shall consist of
30 the members of various precinct committees and ward committees, if any, of
31 such party in the county. In the organization and proceedings of the county
32 central committee, each precinct committeeman shall have one vote, and one
33 additional vote for each fifty votes or major fraction thereof of his party, cast
34 in his precinct for Governor, at the last general election; and each ward com-
35 mitteeman shall have one vote for each precinct in his ward, and one additional
36 vote for each fifty votes or major fraction thereof of his party, cast in each
37 precinct of his ward for Governor, at the last general election.

38 (4) The congressional committee of each party shall be composed of the
39 chairman of the county central committees of the counties composing the con-
40 gressional districts, excepting that in congressional districts wholly within the
41 territorial limits of one county, or wholly within the territorial limits of one
42 county and partly within the territorial limits of another county, then the mem-
43 bers of the precinct committees of the party residing within the limits of the
44 congressional district, shall compose the congressional committee: *Provided,*
45 *however*, that in congressional districts wholly within the territorial limits of
46 an incorporated city or village having a population of two hundred thousand
47 or over, or partly within the limits of such city or village and partly without

48 the limits of such city or village, then the members of the preeinct and ward
 49 committees of the party of the precincts and wards within the limits of the
 50 congressional district, shall compose the congressional committee.

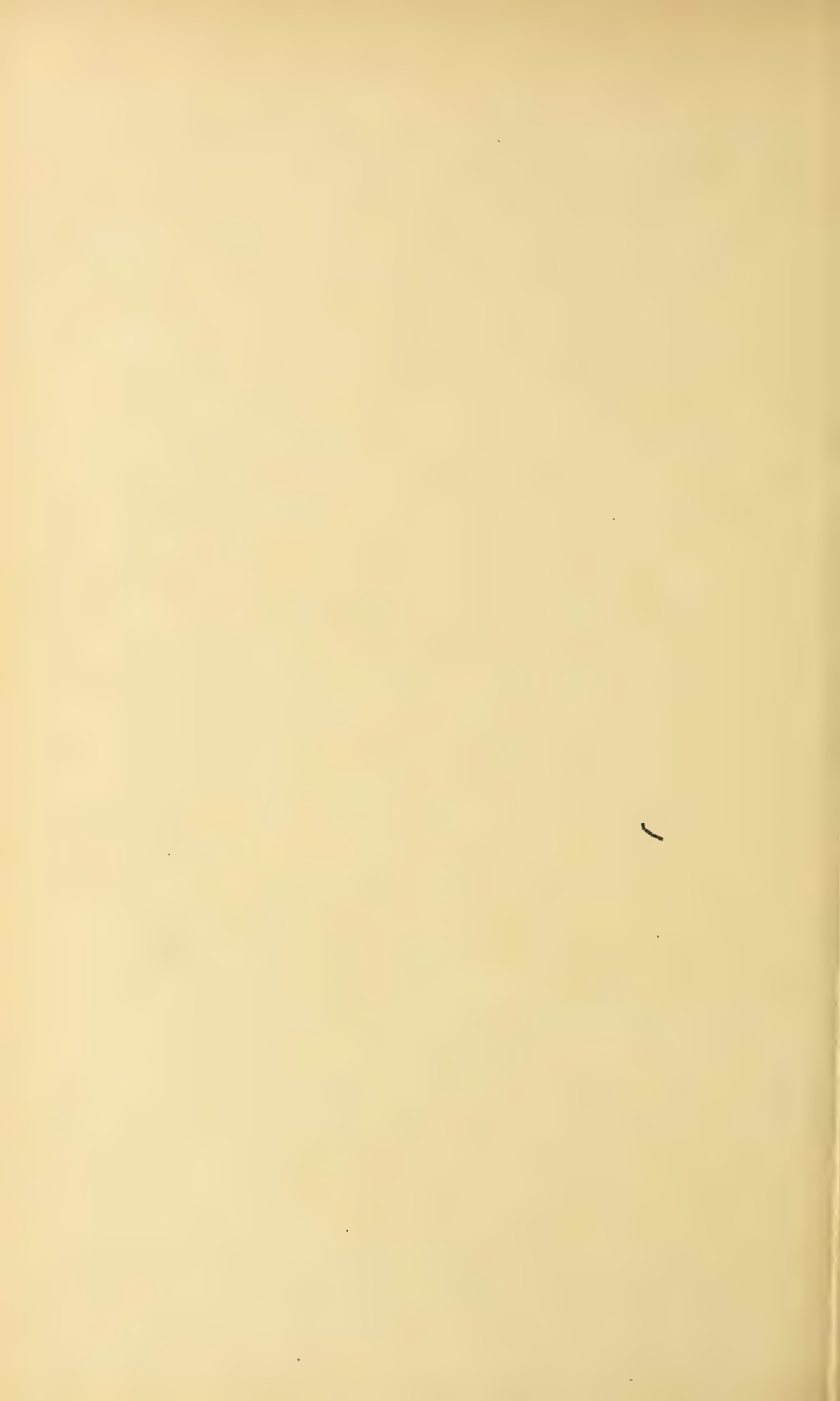
51 In the organization and proceedings of congressional committees, com-
 52 posed in whole or in part of precinct committeemen, each precinct committee-
 53 man shall have one vote, and one additional vote for each fifty votes or major
 54 fraction thereof of his party, cast in his precinct for Governor, at the last
 55 general election, and in the organization and proceedings of congressional com-
 56 mittees, composed in whole or in part of ward committeemen, each ward com-
 57 mitteeman shall have one vote for each precinct in his ward, and one additional
 58 vote for each fifty votes or major fraction thereof of his party, as cast in each
 59 precinct of his ward located in such congressional district for Governor, at
 60 the last general election.

61 (5) The city central committee of each political party shall be composed
 62 of the precinct committeemen of such party residing in such city, excepting
 63 that in incorporated cities or villages having a population of two hundred thou-
 64 sand or over, then the city central committee shall be composed of the ward
 65 committeemen residing within the territorial limits of such city or village,
 66 which said ward committeemen shall be elected at large in their respective
 67 wards *at the April primary election, held in April, 1922, and every four years*
 68 *thereafter.*

69 The word "ward" in this section shall be construed to mean a division for
 70 which aldermen are elected in such last mentioned cities or villages.

71 (6) Each committee and its officers shall have the powers usually exer-
 72 cised by such committees and by the officers thereof, not inconsistent with the
 73 provisions of this Act. The several committees herein provided for shall not
 74 have power to delegate any of their powers or functions to any other person,
 75 officer or committee, but this shall not be construed to prevent a committee from
 76 appointing from its own membership, proper and necessary subcommittees, and
 77 particularly defining, by resolution, the duties of such subcommittee.

78 (7) The various political party committees now in existence, are hereby
79 recognized and shall exercise the powers and perform the duties herein pre-
80 scribed, until committeemen are chosen, in accordance with the provisions of
81 this Act.





- 1 Introduced by Mr. McCabe, April 27, 1921.
- 2 Read by title, ordered printed and referred to Committee on License and
Miscellany.

A BILL

For an Act to regulate the practice of Osteopathy.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* It shall be unlawful for any person to
3 practice Osteopathy without a license so to do.

Sec. 2. The practice of medicine and surgery in all their branches, by
2 persons now or hereafter authorized under the laws of this State so to practice
3 shall in no wise be affected by the provisions of this Act.

Sec. 3. All licenses or certificates heretofore issued pursuant to the laws
2 of this State, authorizing the holder thereof to treat human ailments without
3 the use of medicine, internally or externally, and without operative surgery, or
4 to practice midwifery, and in force July 1, 1921, shall in no wise be affected by
5 the provisions of this Act.

Sec. 4. No person shall, except as otherwise provided in this Act, hereafter
2 be licensed to practice Osteopathy, or any other system or method of treating

human ailments or midwifery, unless he shall pass a satisfactory examination conducted by the Department of Registration and Education, pursuant to an Act entitled, "An Act in relation to the civil administration of the State Government, and to repeal certain Acts therein named," approved March 7, 1917, in force July 1, 1917; provided, that the functions and duties of the Department of Registration and Education, as set forth in Section 10 of the foregoing (commonly known as the Civil Administrative Code), in so far as they affect or relate to the practice of osteopathy, shall be exercised by the said Department of Registration and Education upon the action and report in writing of five persons, all of whom shall be reputable osteopathic physicians, licensed as such under the laws of the State, no one of whom shall be an officer, trustee, instructor or stockholder in any professional school or college of osteopathy. Said persons shall be designated from time to time by the Director of Registration and Education and in making the designation of such persons the director shall give due consideration to recommendations by members of the osteopathic profession and by organizations therein.

Sec. 5. Each applicant for the examination provided in this Act shall comply with the following requirements:

(1) Make application for examination on blank forms prepared and furnished by the Department of Registration and Education.

(2) Submit evidence, verified under oath and satisfactory to the Department of Registration and Education, that the applicant is twenty-one (21) years of age or over and had the preliminary and professional education required by this Act.

(3) Designate in his application whether he desires to practice:

(a) As an osteopathic physician, or

(b) As an osteopathic physician and surgeon.

(4) Pay in advance to the board fees as follows:

(a) For examination in osteopathy, \$10.00.

- 14 (b) For examination in surgery, \$10.00.
- 15 (c) For issuance of license, \$5.00.
- 16 (d) For a license to a practitioner admitted from a foreign state or coun-
17 try, under the provisions of Section 10 hereof, the same fees charged by the
18 State endorsing the application of an Illinois physician applying for registra-
19 tion in such states, but in no case less than \$25.00.
- 20 (e) For an examination to determine the preliminary educational fitness
21 of the applicant in those cases where the applicant fails to present a proper
22 certificate showing that he has satisfactorily completed an approved course of
23 study in a high school or other equivalent school, as provided in Section 6
24 hereof, \$5.00.

Sec. 6. Standards of preliminary education deemed requisite for admis-
2 sion to a reputable osteopathic school, college or institution in good standing
3 are fixed as follows:

- 4 (1) That the applicant for admission has satisfactorily completed an
5 approved course of study in a high school or other equivalent school having a
6 course of study requiring an attendance through four (4) years and which is
7 approved by the Department of Registration and Education; or
- 8 (2) That the applicant present a certificate of having passed a satisfac-
9 tory written examination before the Superintendent of Public Instruction of
10 this State, or like State officer of another state or country, in the studies em-
11 braced in the curriculum of a high school approved by the Department of Reg-
12 istration and Education.

Sec. 7. Standards of professional education are fixed as follows:

- 2 (1) To practice as an osteopathic physician:
- 3 (a) The applicant shall be a graduate of a professional school or college
4 of osteopathy which requires as a prerequisite of graduation a four (4) year
5 course of instruction, the time elapsing between the beginning of the first year

6 and the ending of the last or fourth year to be not less than forty (40) months,
7 and which is deemed to be reputable and in good standing.

8 (2) To practice as an osteopathic physician and surgeon the applicant, in
9 addition to the requirements of this section hereinbefore set forth, shall submit
10 evidence that he has:

11 (a) Completed a two (2) year post-graduate course in a reputable pro-
12 fessional school or college of osteopathy in good standing, involving a thorough
13 and intensive study in the subject of surgery; or

14 (b) Completed a one (1) year post-graduate course in a reputable school
15 or college of osteopathy, as aforesaid, and in addition thereto a one (1) year
16 course of training in a hospital approved by the Department of Registration and
17 Education.

Sec. 8. Examination of those who desire to practice as osteopathic physi-
2 cians shall embrace those general subjects and topics, a knowledge of which is
3 commonly and generally required of candidates for a degree of Doctor of Oste-
4 opathy by reputable osteopathic schools or colleges in the United States. It
5 shall not include the subject of major surgery, but shall include minor surgery.
6 Examination of those who desire to practice as osteopathic physicians and sur-
7 geons shall be of the scope defined in the first paragraph of this section, and
8 in addition thereto, with respect to the subject matter of major surgery, shall
9 be of such character as to thoroughly test the qualifications of the applicant
10 as a practitioner of osteopathy and surgery.

Sec. 9. Each applicant who successfully passes the examinations pre-
2 scribed by this Act shall be entitled to a license. The following kinds of licenses
3 shall be issued:

4 (1) To practice as an osteopathic physician without operative major
5 surgery;

6 (2) To practice as an osteopathic physician and surgeon.

7 Nothing herein contained shall be construed to deny to any person licensed
8 under the provisions of this Act the right to use anaesthetics, germicides,
9 parasiticides, narcotics and antidotes, as taught in reputable schools or colléges
10 of osteopathy in good standing under the provisions of this Act.

 Sec. 10. The Department of Registration and Education may, in its discre-
2 tion, issue a license, without examination, to a practitioner who has been licensed
3 in any country, state, territory or province, upon the following conditions:

4 (1) That the applicant is of good moral character;

5 (2) That the applicant shall designate in his application whether he de-
6 sires to practice (a) as an Osteopathic Physician, or (b) as an Osteopathic
7 Physician and Surgeon.

8 (3) That the requirements of registration in the country, state, territory
9 or province in which the applicant is licensed, are deemed by the Department
10 of Registration and Education to have been practically equivalent to the require-
11 ments of registration in force in this State at the date of such license.

12 The Department of Registration and Education may also in its discretion
13 issue a license, without examination, to an osteopathic physician who is a grad-
14 uate of an osteopathic college in good standing and who has passed an exam-
15 ination for admission into the Medical Corps of the United States Army, United
16 States Navy, or the United States Public Health Service.

 Sec. 11. Every holder of a license shall display it in a conspicuous place
2 in his principal office, place of business or employment.

 Sec. 12. Osteopathic physicians shall observe and be subject to all State and
2 municipal regulations relative to reporting all births and deaths and all matters
3 pertaining to the public health, with equal rights and obligations as physicians
4 of other schools of medicine, and such reports shall be accepted by the officers
5 of the department to which the same are made.

6 Osteopathic physicians or osteopathic physicians and surgeons, licensed

7 hereunder, shall have the same rights as physicians and surgeons of other
8 schools of medicine with respect to the treatment of cases or holding of offices
9 in public institutions.

Sec. 13. The Department of Registration and Education may either refuse
2 to issue or may suspend or revoke any license for any one of, or any combination
3 of the following causes:

4 (a) Conviction of a felony, as shown by a certified copy of the record of
5 the court of conviction;

6 (b) The obtaining of, or an attempt to obtain, a license or practice in the
7 profession, or money, or any other thing of value, by fraudulent misrepresen-
8 tations;

9 (c) Gross malpractice;

10 (d) Continued practice by a person knowingly having an infectious or
11 contagious disease;

12 (e) Advertising by means of knowingly false or deceptive statements;

13 (f) Advertising, practicing or attempting to practice under a name other
14 than one's own;

15 (g) Habitual drunkenness, or habitual addiction to the use of morphine,
16 cocaine, or any other habit-forming drugs.

17 The Department of Registration and Education may neither refuse to
18 issue, nor refuse to renew, nor suspend, nor revoke any license, however, for
19 any of these causes unless the person accused has been given at least twenty
20 (20) days' notice in writing, of the charges against him and a public hearing
21 by the Department of Registration and Education.

22 The Department of Registration and Education shall have the power to
23 compel the attendance of witnesses and the production of relevant books and
24 papers for the investigation of matters that may come before them, and the pre-
25 siding officer of said Department may administer the requisite oaths and such
26 Department shall have the same authority to compel the giving of testimony as
27 is conferred on courts of justice.

Sec. 13. The Department of Registration and Education may, upon proper
2 order of a county court, revoke any license issued under this Act for any one
3 or any combination of the following causes:

- 4 (1) Conviction of the practice of criminal abortion;
- 5 (2) Obtaining or attempting to obtain practice in the profession by false
6 or fraudulent representation;
- 7 (3) Habitual drunkenness or habitual addiction to the use of morphine,
8 opium, cocaine or other drugs having a similar effect;
- 9 (4) Obtaining or attempting to obtain money or any other thing of value
10 by false and fraudulent representation;
- 11 (5) Advertising under a false name;
- 12 (6) Advertising or professing publicity to treat human ailments under a
13 system or school of treatment or practice other than that for which licensed;
- 14 (7) Commitment by the judgment of a court of competent jurisdiction to
15 a hospital for the insane;
- 16 (8) Wilful violation of the rules and regulations of the Department of
17 Registration and Education governing examinations or obtaining admission to
18 practice by any fraud or deceit.

19 Paragraph 6 of this section shall not be construed to affect any person
20 licensed by the State Board of Health, on or before July 1, 1917, to treat human
21 ailments without the use of drugs and medicines, internally or externally, and
22 without the use of operative surgery, who is legitimately engaged in the prac-
23 tice of his profession, unless he shall treat, or profess to treat human ailments
24 with the use of drugs and medicines, internally or externally, or with operative
25 surgery.

26 For any of the above reasons the Department of Registration and Educa-
27 tion may, after a hearing given before the Department, refuse to issue a license.

Sec. 14. Proceedings for the revocation of a license issued under this Act
2 shall be commenced by an information filed by the Attorney General or State's

3 Attorney upon the relation of the Department of Registration and Education
4 in the county court of the county in which the licensee resides. Such information
5 shall be deemed sufficient if it sets out with reasonable clearness the nature
6 and cause of the accusation, without conforming to the technical requirements of
7 an indictment.

8 On the filing of such information, the clerk of the court shall issue a sum-
9 mons, in like form as other summons. If the information be filed in vacation,
10 the summons shall be made returnable on the first day of the next succeeding
11 term; if in term time, it may be made returnable on any day of the same term,
12 not less than five days after the date of the summons, as shall be directed by
13 the court. The summons may be served in the same manner as other summons
14 in suits at law.

15 Every licensee who shall be so summoned shall be held to appear on the
16 return day of the summons, or within such further time as may be granted by
17 the court.

18 The cause may be heard and decided by the court or by a jury at the option
19 of the accused. In case the licensee is adjudged guilty as charged in the in-
20 formation, the court shall enter an order directing the Department of Registra-
21 tion and Education to revoke the license of the licensee, and also give judgment
22 in favor of the Department for the costs of the prosecution.

Sec. 15. Each of the following acts constitutes a misdemeanor, punishable
2 upon conviction by a fine of not less than Twenty-five dollars (\$25.00) nor
3 more than Two hundred dollars (\$200.00).

4 (a) The practice of osteopathy or an attempt to practice osteopathy with-
5 out a license;

6 (b) The obtaining of, or an attempt to obtain, a license or practice in the
7 profession, or money, or any other thing of value by fraudulent mis-
8 representations;

9 (c) The making of any wilfully false oath or affirmation whenever an oath
10 or affirmation is required by this Act;

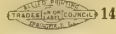
11 (d) Advertising, practicing or attempting to practice under a name other
12 than one's own. •

Sec. 16. The Department of Registration and Education shall keep a
2 record, which shall be open to public inspection at all reasonable times, of its
3 proceedings relative to the issuance, refusal, renewal, suspension and revoca-
4 tion of licenses to practice osteopathy or osteopathy and surgery. This record
5 shall also contain the name, known place of business and residence, and the date
6 and number of the license of every registered osteopath.

Sec. 17. The provisions for an Act entitled, "An Act to revise the law
2 in relation to the practice of the art of treating human ailments," approved
3 June 25, 1917, in force July 1, 1917, shall not be applicable to any person licensed
4 under the provisions hereof.

Sec. 18. Should the courts declare any section or any part of a section of
2 this Act unconstitutional or unauthorized by law, then such a decision shall affect
3 only the section or part or subdivision of a section, or provision so declared to be
4 unconstitutional, and shall not affect any other section or any other part or sub-
5 division of a section or provision or part of this Act. It is further expressly pro-
6 vided that each section and each part or subdivision of a section herein, so far
7 as an inducement for the passage of this bill is concerned, is independent of ev-
8 ery other section, and every other part or subdivision of a section, and no sec-
9 tion or any part of or subdivision of a section is an inducement for the enactment
10 of any other section or part or subdivision of a section.

Sec. 19. This Act may be known and cited as "The Illinois Osteopathic
2 Act."



- 1 Introduced by Mr. Wylie, April 27, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Sections 42, 43, 45 and 50 of Sub-division II of Article VI of
“An Act to revise the law in relation to roads and bridges,” approved June
27, 1913, in force July 1, 1913, as amended, to repeal Section 44 thereof and to
add to said Act Article IX, to be composed of Sections 158, 159, 160, 161, 162,
163, 164, 165, 166 and 167.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Sections 42, 43, 45 and 50 of Sub-divi-
3 sion II of Article VI of “An Act to revise the law in relation to roads and
4 bridges,” approved June 27, 1913, in force July 1, 1913, as amended, are
5 amended and there is added to said Act Article IX, to be composed of Sections
6 158, 159, 160, 161, 162, 163, 164, 165, 166 and 167, the amended and added sec-
7 tions to read as follows:

Sec. 42. (A) In each township in counties under township organization
2 and in each road district in counties not under township organization there shall
3 be elected a *board of highway commissioners consisting of three members,*

4 *each of whom* shall serve for a term of two (2) years and until his successor is
 5 duly elected and qualified, and who shall be elected in the manner hereinafter
 6 set forth.

7 (B) In counties under township organization the town clerk shall act as
 8 the clerk of the board of highway commissioners in such town. In counties
 9 not under township organization there shall be elected in each road district a
 10 district clerk, who shall hold office for the term of two (2) years and until his
 11 successor is elected and qualified.

12 (C) In counties under township organization the supervisor of each town
 13 shall be *ex-officio* treasurer of the road and bridge fund. In counties not under
 14 township organization the district clerk shall be *ex-officio* treasurer of such
 15 fund.

16 (D) No person shall be eligible to the office of highway commissioner
 17 unless he shall be a legal voter and have been one year a resident of such town
 18 or district. In counties not under township organization the same limitation
 19 shall apply to the district clerk: *Provided*, that nothing in this Act shall be
 20 construed to authorize the election of a board of highway commissioners or dis-
 21 trict clerk, in cities and villages in counties not under township organization,
 22 that are created road districts. Nor shall anything in this Act be construed as
 23 vesting in highway commissioners any power or jurisdiction over the streets
 24 and alleys of cities or incorporated towns and villages.

Sec. 43. In all counties under township organization the *three* highway
 2 commissioners shall be elected at the annual town meeting following the pass-
 3 age of this amendatory Act, for a term of two (2) years. In all counties not
 4 under township organization, the *three* highway commissioners and the district
 5 clerk shall be elected at an election to be held on the first Tuesday in April
 6 after the passage of this amendatory Act, to hold their offices for two (2)
 7 years. *And every two years thereafter the highway commissioners of any*
 8 *township or district, and the district clerk of a district, shall be elected to hold*
 9 *office for two years, and until their successors are elected and qualified.*

10 *Until the first election held after this amendatory Act becomes effective,*
11 *the several highway commissioners and clerks now in office shall continue to*
12 *exercise their respective powers and duties as heretofore.*

Sec. 45. In all counties not under township organization the following provisions regarding elections shall be applicable:

3 The *biennial* election of district officers shall be held on the first Tuesday
4 *in April, after the passage of this amendatory Act, and every two years there-*
5 *after, at the place designated by the commissioners of highways. The com-*
6 *missioners of highways shall be ex-officio judges, and the clerk shall be ex-*
7 *officio clerk of all district elections, but before entering upon the discharge of*
8 *their duties they shall take the oath of office prescribed by the general election*
9 *law of the State. At the first election after the passage of this amendatory*
10 *Act, the commissioners of highways and two other persons to be named by the*
11 *county board shall perform the duties herein prescribed for the commissioners*
12 *of highways. In the absence of any of the above named officers, the vacancy*
13 *shall be filled by appointment by the commissioners present, and in case there*
14 *is no commissioner present, the electors present shall appoint such judge.*

15 Notice of the time and place of holding any annual or special election shall
16 be given by the district clerk, or, in his absence, by the *commissioners*, by post-
17 ing written or printed notices in at least three of the most public places in the
18 district, at least fifteen days prior to such election.

19 The district elections shall be conducted in the same manner and subject
20 to the same laws and regulations as prescribed for general elections: *Provided,*
21 that no registration of voters shall be required.

22 All persons possessing the qualifications of voters, who reside within the
23 boundaries prescribed for such district shall be entitled to vote at such election.

24 The judges shall, immediately, upon closing the polls, make a canvass of
25 the votes polled in the manner provided by the general election law of the State,
26 and make a written statement or certificate of the number of votes cast at such

27 election for each person or proposition voted for, and the office for which such
 28 person received such vote, and shall, within forty-eight hours thereafter,
 29 cause such certificate and poll list, together with the ballots cast at such elec-
 30 tion, to be separately sealed up and transmitted to the district clerk to be filed
 31 and preserved by him.

32 The *commissioners* of highways, together with some justice of the peace to
 33 be *by them selected*, and the district clerk shall, within five days after any elec-
 34 tion is held, meet and canvass said returns, and declare the result of said elec-
 35 tion. The canvass being completed, a statement of the result shall be entered
 36 at large, by the clerk of the election, in the minutes of the proceedings, to be
 37 kept by him as required by this Act, which shall be publicly read by him to the
 38 electors present; and such reading shall be deemed notice of the result of the
 39 election, to every person whose name shall be entered on the poll list as a
 40 voter.

41 In case two or more persons shall have an equal number of votes for the
 42 same office, the question of which shall be entitled to the office shall be decided
 43 by lot, under direction of the district clerk, but he shall give each party at least
 44 five days' notice of the time and place of drawing lots.

45 The clerk, within ten days after the canvass of the votes as hereinbefore
 46 provided in this section, shall transmit to each person elected to any district
 47 office, a notice of his election. He shall also file in the office of the county clerk
 48 a list of the names of all district officers elected at such election, who have
 49 qualified, within twenty days after such election shall be held.

Sec. 50. (A) The *commissioners* of highways of each town or road dis-
 2 trict shall *meet on the second Tuesday next after the annual town meeting or*
 3 *road district election, in each year, at the office of the town or district clerk,*
 4 *and shall organize as a board by electing one of their number president. They*
 5 *shall also hold a regular semi-annual meeting between the first Tuesday in*
 6 *August and the first Tuesday in September of each year, at a time to be named*

7 *by their president, for the purpose of determining the tax rate to be certified*
8 *by them to their respective county boards, as hereinafter provided. Said board*
9 *shall also hold other regular meetings at such times as they shall designate, and*
10 *special meetings as occasion may require at the call of the president, or any*
11 *two of the commissioners, and no official business shall be transacted by the*
12 *board except at a regular or special meeting. The concurrence of at least*
13 *two commissioners shall be required in all official actions taken by the board as*
14 *a body, and all certificates or documents hereinafter required to be made or*
15 *executed by the board of highway commissioners shall be signed by at least*
16 *two members of said board.*

17 (B) The highway commissioners of each town or road district shall have
18 power and it shall be *their* duty:

19 (1) To lay out, alter, widen or vacate roads as hereinafter provided.

20 (2) To cause such roads used as highways as have been laid out or dedi-
21 cated to public use, but not sufficiently described, and such as have been used
22 for twenty years, but not recorded, to be ascertained, described and entered of
23 record in the office of the district or town clerk.

24 (3) To determine the taxes necessary to be levied on property within his
25 town or district for road and bridge purposes, subject to the limitations herein-
26 after provided.

27 (4) To direct the expenditure of all moneys collected in the town or dis-
28 trict for road and bridge purposes and to draw warrants on the town or district
29 treasurer therefor.

30 (5) To direct the construction and repair of roads and bridges within
31 the town or district, to let contracts, employ labor and purchase material and
32 machinery therefor, subject to the limitations herein provided: *Provided, how-*
33 *ever,* that no contract shall be let for the construction or repair of any road or
34 bridge or part thereof in excess of the amount of \$200, nor shall any machinery
35 or other appliances to be used in road construction in excess of such amount
36 be purchaser without the approval of the county superintendent of highways.

37 (6) To have general charge of the roads and bridges of *their* town or dis-
 38 trict, to keep the same in repair and to improve them so far as practicable.

39 (7) To take possession of and keep under shelter, when not in use, all
 40 scrapers, plows and other tools belonging to the town or district wherever the
 41 same may be found, and not allow the same to go to waste, and not lend the
 42 same, except to persons employed to work the roads by contract or otherwise.

43 (8) To cause to be erected and kept in repair at the forks or crossing place
 44 of the most important public roads, post and guide boards, with plain inscrip-
 45 tion thereon, in letters and figures, giving directions and distances to the most
 46 noted places to which such road may lead; to prevent thistles, burdock, cockle-
 47 burs, mustard, yellow-dock, Indian mallow and gypson weed from seeding,
 48 and to extirpate the same so far as practicable; and to prevent all rank growth
 49 of vegetation in the public highway by causing the same to be cut and destroyed
 50 prior to the seeding of the same, and at the farthest prior to September 1st, in
 51 each and every year; and the said *commissioners* may, at *their* discretion,
 52 adopt any suitable and convenient mode of supplying water in troughs conveni-
 53 ently situated on the public highway for public use.

54 (9) To issue *their* warrant or order on the treasurer of the board of high-
 55 way *commissioners* for the payment of all moneys paid out by such treasurer.

56 (C) The highway *commissioners* shall annually make report in writing
 57 showing

58 (1) The amount of poll tax assessed, how much paid, and how much delin-
 59 quent.

60 (2) The amount of road and bridge money received by *them*, and a full
 61 and detailed statement as to how and where expended, and the balance, if any,
 62 unexpended.

63 (3) The amount paid for damages in laying out, altering, widening or
 64 vacating roads, and right-of-way for ditches.

65 (4) The amount of liabilities incurred and not paid; and if such liabilities
 66 are undetermined, they shall be estimated.

67 (5) Any additional matter concerning the roads and bridges of the dis-
68 trict *they* may think expedient and proper to make.

69 In counties under township organization such report shall be made to the
70 board of town auditors at the semi-annual meeting immediately preceding the
71 annual town meeting. In counties not under township organization such report
72 shall be made not later than the last Tuesday in March to the district clerk
73 who shall file the same in his office and he shall record such report at large in
74 the records of said road district.

ARTICLE IX.

OPTIONAL—SINGLE HIGHWAY COMMISSIONER SYSTEM PROVIDED FOR.

Sec. 158, PROVISIONS OPTIONAL.] *The provisions of this article shall*
2 *become effective in any township or road district in this State upon the adoption*
3 *of the same by the legal voters of such township or road district as hereinafter*
4 *provided and not otherwise.*

Sec. 159. PETITION FOR ADOPTION—ELECTION.] *At any time following the*
2 *passage and approval of this Act, on petition of not less than twenty-five of the*
3 *legal voters of any township or road district, the town or district clerk thereof*
4 *shall, within thirty days thereafter, call a special election at which there shall be*
5 *submitted to the voters of such town or road district the question of having a*
6 *single highway commissioner in such township or road district: Provided, how-*
7 *ever, that no such election shall be held within the period of thirty days next pre-*
8 *ceding any annual town or road district election, and elections for the purposes*
9 *specified in this section shall not held oftener than once in three years.*

Sec. 160. NOTICE OF ELECTION.] *Upon the filing of a petition for an election*
2 *to change from the three highway commissioner system to the single highway*
3 *commissioner system, as provided in the preceding section, the town or district*
4 *clerk shall post notices of the time and place of holding such special election in*
5 *at least three of the most public places in said town or road district, which*

6 notices shall be posted at least fifteen days prior to the time of holding such
7 election.

Sec. 161. BALLOTS—CONDUCT OF SPECIAL ELECTION.] *The ballots to be used*
2 *at said election shall contain the following form: "For Single Highway Com-*
3 *missioner System;" "Against Single Highway Commissioner System." The*
4 *special election held pursuant to the provisions of this article shall be conducted*
5 *in the same manner and subject to the same laws and regulations as are pre-*
6 *scribed for other elections held pursuant to the provisions of this Act.*

Sec. 162. RESULT OF ELECTION.] *If a majority of the legal voters voting*
2 *at said special election shall vote in favor of the proposition, "For Single High-*
3 *way Commissioner System," then and thereafter and until said vote shall be*
4 *reversed in the manner hereinafter provided the provisions of this article shall*
5 *be effective in such township or road district, and in said township or road dis-*
6 *trict there shall be but one highway commissioner to be elected as hereinafter*
7 *provided.*

Sec. 163. ELECTION OF COMMISSIONER—TENURE OF OFFICE.] *At the next*
2 *annual town meeting or road district election held next after the adoption of*
3 *the provisions of this article by any town or road district in this State, there*
4 *shall be elected a single highway commissioner for such town or district, who*
5 *shall hold his office for two years and until his successor is elected and quali-*
6 *fied. And thereafter there shall be elected every two years a highway commis-*
7 *sioner as the successor of the highway commissioner whose term of office shall*
8 *expire. The official term of any highway commissioner holding office at the*
9 *time of the adoption of this article by any town or road district shall expire*
10 *upon the qualification of the single highway commissioner elected at said next*
11 *ensuing annual town meeting or road district election.*

Sec. 164. PROVISIONS SPECIALLY APPLICABLE TO—COUNTIES NOT UNDER TOWN-
2 SHIP ORGANIZATION—(A) CLERK.] *In any road district in a county not under*

3 township organization adopting the provisions of this article, the district clerk
4 shall be elected at the same time as the highway commission [er]. The official
5 term of any such clerk holding office at the time of the adoption of this article
6 by any town or road district shall expire upon the qualification of the district
7 clerk elected at said next ensuing annual road district election.

8 (B) CONDUCT OF ELECTIONS.] In all road districts in counties not under
9 township organization having adopted the provisions of this article, the regular
10 election for commissioner of highways and district clerk shall be held on the first
11 Tuesday in April every two years at the place designated by the commissioner
12 of highways. The commissioner of highways and two other persons to be
13 named by the county board for each road district of the county operating under
14 this article shall act as judges of election, and the district clerk shall be ex-
15 officio clerk of all district elections, but before entering upon the discharge of
16 their duties they shall take the oath of office prescribed by the general election
17 laws of the State. In the absence of any of the above named officers the vacancy
18 shall be filled by appointment by the commissioner, or in his absence by the dis-
19 trict clerk, and in case both the commissioner and the district clerk are absent,
20 the electors present shall appoint such officers.

Sec. 165. (A) POWERS, DUTIES AND COMPENSATION OF HIGHWAY COMMIS-
2 SIONER.] In any town or road district which shall adopt the provisions of this
3 article all the powers and duties hereinbefore vested in the board of highway
4 commissioners and the members thereof, shall thereafter be fully enjoyed, exer-
5 cised and employed by the single highway commissioner provided for in this
6 article, and all the preceding provisions of this Act, insofar as compatible with
7 the provisions of this article, shall remain and be in full force and effect.

8 (B) COMPENSATION.] In any town or road district adopting the provi-
9 sions of this article, the single highway commissioner herein provided for shall
10 receive for each and every day he is necessarily employed in the discharge of his
11 duties a salary to be fixed by the county board in counties not under township

12 organization and by the board of town auditors in counties under township or-
 13 ganization not to exceed in counties of the first class three dollars and fifty
 14 cents (\$3.50) per day, in counties of the second class four dollars (\$4.00) per
 15 day, and in counties of the third class five dollars (\$5.00) per day, upon a
 16 sworn statement to be filed by such commissioner in the office of the town or dis-
 17 trict clerk, showing the number of days he was employed and the kind of employ-
 18 ment, and giving the dates thereof.

Sec. 166. WITHDRAWAL FROM PROVISIONS OF THIS ARTICLE.] Any town or
 2 road district having adopted the provisions of this article may withdraw from
 3 the provisions thereof and elect to come under the general provisions of this
 4 Act whereby three highway commissioners are provided for in each town or
 5 road district. Such withdrawal from the provisions of this article shall by the
 6 vote of the legal voters of such town or district, and provisions therefor may be
 7 inaugurated by petition to the town or district clerk, in the manner provided in
 8 Section 161 of this Act. Upon the filing of such petition a special election there-
 9 for shall be called, and conducted, and the result thereof declared as provided
 10 in Sections 161, 162 and 164 of this Act: Provided, that no such special elec-
 11 tion shall be held within the period of thirty days preceding the second Tues-
 12 day in April in any year. At said special election the proposition petitioned for
 13 and submitted to the voters shall be as follows: "For continuing single High-
 14 way Commissioner System," and "Against continuing single Highway Com-
 15 missioner System." A majority of all the voters voting at such election shall
 16 be required to withdraw such town or road district from the provisions of this
 17 article, and after any town or district has voted to withdraw from the provi-
 18 sions of this article, no special election shall be called to return to the provisions
 19 of this said article for a period of at least three years.

Sec. 167. ELECTION OF OFFICERS UPON WITHDRAWAL FROM THIS ARTICLE.] In
 2 case any town or road district having adopted the provisions of this article
 3 shall elect to withdraw therefrom and come under the three commissioner

4 system as provided in the preceding section of this Act, the town or district
5 clerk shall give notice, in the manner hereinbefore provided that at the next
6 annual town meeting in counties under township organization, or at an election
7 to be held on the first Tuesday in April then next ensuing in counties not under
8 township organization, there will be elected three highway commissioners for
9 such town or road district. Upon the election and qualification of the members
10 of such board of highway commissioners the unexpired portion of the term of
11 any single highway commissioner who may be in office by virtue of the preced-
12 ing provisions of this article shall thereby be terminated.

13 In all road districts in counties not under township organization electing to
14 withdraw from the provisions of this article, as aforesaid, a district clerk shall
15 also be elected at the time and place of holding the election of the three highway
16 commissioners as aforesaid, and the unexpired portion of the term of any dis-
17 trict clerk then in office shall terminate upon the qualifications of the clerk
18 elected at such election.

Sec. 2. Section 44 of said Act is repealed.



- 1 Introduced by Mr. Byers, April 27, 1921.
- 2 Read by title, ordered printed and referred to Committee on Education.

A BILL

For an Act legalizing certain elections in High School Districts.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That in all cases where any question or
3 proposition has been submitted by the Board of Education of any high school
4 district and has received a majority of the votes cast thereon at an election
5 held in such district, said election is hereby in all respects validated and con-
6 firmed, notwithstanding the notice of such election had not been posted in ten
7 public places in such district.

AMENDMENT TO

52d G. A.

HOUSE BILL NO. 718

1921



1 Adopted May 10, 1921.

AMENDMENT NO. 1.

Amend House Bill No. 718 as printed by striking out the word "*notwith-*
2 *standing*" in line 6 and inserting in lieu thereof the word "*where.*"



- 1 Introduced by Committee on Elections, April 28, 1921.
- 2 Substitute for H. B. No. 525.
- 3 Read at large a first time, ordered printed, and to a second reading.

A BILL

For an Act to amend Sections 1, 2, 4, 6, 9, 10, 27, 28, 30, 31, 35, 46, 51, 53, 56, 57, 58, 60, and 63 of "An Act to provide for the holding of primary elections by political parties" approved March 9, 1910, in force July 1, 1910, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Sections 1, 2, 4, 6, 9, 10, 27, 28, 30, 31, 35,
3 46, 51, 53, 56, 57, 58, 60, and 63 of "An Act to provide for the holding of prim-
4 ary elections by political parties," approved March 9, 1910, in force July 1,
5 1910, as amended, are amended to read as follows:

Section 1. The nomination of all candidates for all elective, state, con-
2 gressional, county, city, and village (including offices of the Municipal Court of
3 Chicago) and town officers, *Probate Judge, County Judge*, clerks of the appel-
4 late courts, trustees of sanitary districts, township officers in townships co-ex-
5 tensive with cities, incorporated towns or villages, and for the election of pre-
6 cinct and ward committeemen by all political parties, as defined by Section 2

7 of this Act, shall be made in the manner provided in this Act and not other-
 8 wise: *Provided*, that this Act shall not apply to school elections and township
 9 elections other than in townships co-extensive with cities, incorporated towns
 10 or villages. The words "township officers" or "township offices" shall be con-
 11 strued when used in this Act to include supervisors and assistant supervisors.
 12 *And, provided, further, that this Act shall not apply to the nomination of any*
 13 *candidates for office in cities, incorporated towns or villages having a popula-*
 14 *tion not to exceed five thousand inhabitants, as determined by then last preced-*
 15 *ing Federal Census, nor to the nominations of any candidates for office in town-*
 16 *ships co-extensive therewith, but that the nomination of such candidates shall*
 17 *be made by convention of delegates or caucus, in accordance with the provis-*
 18 *ions of an Act entitled, "An Act to provide for the printing and distribution*
 19 *of ballots at public expense and for the nomination of candidates for public*
 20 *offices, to regulate the manner of holding elections, and to enforce the secrecy*
 21 *of the ballot."* Approved June 22, 1891, in force July 1, 1891, and all Acts
 22 amendatory thereto.

23 *The nomination of candidates for electors of President and Vice-President*
 24 *of the United States and for trustees of the University of Illinois and the se-*
 25 *lection of delegates and alternate delegates to the national nominating conven-*
 26 *tions by political parties, as defined by Section 2 of this Act, shall be made in*
 27 *the manner provided for in Section 10 of this Act and not otherwise; and the*
 28 *selection of State Central Committeemen by political parties, as defined by Sec-*
 29 *tion 2 of this Act, shall be made in the manner provided for in Section 9 of this*
 30 *Act, and not otherwise.*

Sec. 2. A political party which at the general election for state and
 2 county officers then next preceding a primary, polled more than two per cent
 3 of the entire vote cast in the state, is hereby declared to be a political party
 4 within the state and shall nominate all candidates provided for in this Act un-
 5 der the provisions hereof.

6 A political party which at the general election for state and county officers
7 then next preceding a primary, cast more than two per cent of the entire vote
8 cast within any congressional district, is hereby declared to be a political party
9 within the meaning of this Act within such congressional district and shall
10 nominate its candidates for representative in Congress within said district un-
11 der the provisions hereof.

12 A political party which at the general election for state and county officers
13 then next preceding a primary cast more than two per cent of the entire vote
14 cast in any county is hereby declared to be a political party within the mean-
15 ing of this Act, within said county, and shall nominate all county officers in
16 said county under the provisions hereof.

17 A political party which at the general election for city, and village officers
18 then next preceding a primary, cast more than two per cent of the entire vote
19 cast in any city or village, is hereby declared to be a political party within the
20 meaning of this Act, within said city or village, and shall nominate all city or
21 village officers in said city or village under the provisions hereof.

22 A political party which at the general election for town officers then next
23 preceding a primary, cast more than two per cent of the entire vote cast in
24 said town, is hereby declared to be a political party, within the meaning of
25 this Act, within said town, and shall nominate all town officers in said town
26 under the provisions hereof.

27 A political party which at the general election in any other municipality
28 or political subdivision, except townships and school districts for municipal
29 or other offices therein, then next preceding a primary, cast more than two per-
30 cent of the entire vote cast in such municipality or political subdivision, is
31 hereby declared to be a political party, within the meaning of this Act, within
32 said municipality or political subdivision and shall nominate all municipal or
33 other officers therein under the provisions hereof.

Sec. 4. The following words and phrases in this Act shall, unless the same be inconsistent with the text, be construed as follows:

1. The word "Primary," the primary election provided for in this Act.

2. The word "Election," a general election as distinguished from a special election or a primary election.

3. The word "precinct," a voting district heretofore or hereafter established by law within which all qualified electors vote at one polling place.

4. The words "state office" or "state officer," an office to be filled or an officer to be voted for by qualified electors of the entire state, including United States senator and Congressman-at-large.

5. The words "congressional office" or "congressional officer," representatives in Congress.

6. *The words "county office" or "county officer," an office to be filled or an officer to be voted for by the qualified electors of the entire county, members of the board of assessors and county commissioners of Cook County.*

7. *The words "city office" and "village office," or "city officer" and "village officer," an office to be filled or an officer to be voted for by the qualified electors of the entire city or village, as the case may be, including aldermen.*

8. *The words "town office" or "town officer," an office to be filled or an officer to be voted for by the qualified electors of an entire town.*

9. *The word "town" as used in this Act shall be construed to mean an incorporated town.*

Sec. 6. A primary shall be held on the second Tuesday in April in every year in which a President of the United States is to be elected for the purpose of securing an expression of the sentiment and will of the party voters with respect to candidates for nomination for the office of President of the United States. A primary shall be held on the second Tuesday in April in every year in which officers are to be voted for on the first Tuesday after the first Mon-

7 day in November of such year for the nomination of caididates for such offices
8 as are to be voted for at such November election.

9 A primary shall be held on the last Tueusday in February in each year for
10 the nomination of such officers as are to be voted for on the first Tuesday in
11 April of such year.

12 A primary shall be held on the second Tuesday in March in each year for
13 the nomination of such officers as are to be voted for on the third Tuesday in
14 April of such year.

15 A primary for the nomination of all other officers, nominations for which
16 are required to be made under the provisions of this Act, shall be held three
17 weeks preceding the date of the general election for such offices respectively.

18 The polls shall be open from 6:00 o'clock A. M. to 4:00 o'clock P. M.

Sec. 9. 1. The State Central Committee of each political party, as de-
2 fined by Section 2 of this Act, shall be composed of one member from each con-
3 gressional district in the state who shall be chosen in the year 1922 and every
4 four years thereafter by the congressional convention of the party and district
5 in which he resides. Members of the State Central Committee shall within
6 thirty days after they are chosen meet in the City of Springfield and organize
7 by electing from their own number or otherwise, a chairman and such other
8 officers from their own number or otherwise, as they may deem necessary or
9 expedient. The outgoing chairman of the State Central Committee of each
10 party shall ten days before the meeting notify each member of the State Central
11 Committee so chosen of the time and place of such meeting.

12 2. At the April primary held in April, 1922 and every four years there-
13 after, each primary elector may vote for one candidate of his party in the pre-
14 cinct for member of his political party precinct committee. The one having
15 the highest number of votes shall be such committeeman of such party for
16 such precinct. In case of a tie, the primary judges shall cast lots. The official
17 returns of the primary juges shall show the name and address of the commit-
18 teeman of each political party in the county: Provided, however, the provis-

ions of this sub-section two (2) of Section nine (9) shall not apply to precincts within the territorial limits of an incorporated city or village having a population of two hundred thousand or over.

3. The County Central Committee of each political party shall consist of the members of various precinct committees and ward committees, if any of such party in the county. In the organization and proceedings of the County Central Committee, each precinct committeeman shall have one vote and one additional vote for each fifty votes or major fraction thereof of his party cast in his precinct for Governor at the last general election; and each ward committeeman shall have one vote for each precinct in his ward and one additional vote for each fifty votes or major fraction thereof of his party cast in each precinct of his ward for Governor at the last general election.

4. The congressional committee of each party shall be composed of the chairman of the County Central Committees of the counties composing the congressional district, excepting that in congressional districts wholly within the territorial limits of one county or wholly within the territorial limits of one county and partly within the territorial limits of another county, then the members of the precinct committees of the party residing within the limits of the congressional district shall compose a congressional committee: *Provided, however,* that in congressional districts wholly within the territorial limits of an incorporated city or village having a population of two hundred thousand or over, or partly within the limits of such city or village, and partly without the limits of such city or village, then the members of the precinct and ward committees of the party of the precincts and wards within the limits of the congressional district shall compose the congressional committee.

In the organization and proceedings of congressional committee composed in whole or part of precinct committeemen, each precinct committeeman shall have one vote and one additional vote for each fifty votes or major fraction thereof of his party cast in his precinct for Governor at the last general election, and in the organization and proceedings of congressional committees com-

posed in whole or in part of ward committeeman, each ward committeeman shall have one vote for each precinct in his ward and one additional vote for each fifty votes or major fraction thereof of his party, as cast in each precinct of his ward located in such congressional district for Governor at the last general election.

5. The City Central Committee of each political party shall be composed of the precinct committeemen of such party residing in such city, excepting that in incorporated cities or villages having a population of two hundred thousand or over, then the City Central Committee shall be composed of the ward committeemen residing within the territorial limits of such city or village which said ward committeemen shall be elected at large in their respective wards *at the April primary held in April, 1922, and every four years thereafter.* The word "ward" in this section shall be construed to mean a division for which aldermen are elected in such last mentioned cities or villages.

6. Each committee and its officer shall have the powers usually exercised by such committees and by the officers thereof, not inconsistent with the provisions of this Act. The several committees herein provided for shall not have power to delegate any of their powers or functions to any other person, officer or committee, but this shall not be construed to prevent a committee from appointing from its own membership proper and necessary sub-committees and particularly defining by resolution the duties of such sub-committees.

7. The various political party committees now in existence are hereby recognized and shall exercise the powers and perform the duties herein prescribed until committeemen are chosen in accordance with the provisions of this Act.

Sec. 10. (a) On the first Monday next succeeding the April primary the County Central Committee of each political party shall meet at the county seat of the proper county and proceed to organize by electing from its own number a chairman, and either from its own number or otherwise, such other officers as

5 said committee may deem necessary or expedient. Such meeting of the county
 6 Central Committee shall be known as the County Convention. The County
 7 Convention of each political party shall choose delegates to the congressional
 8 and state convention of its party: *Provided*, only precinct and ward commit-
 9 teemen of the respective precincts and wards within the limits of a congres-
 10 sional district shall participate in the selection of delegates to a congressional
 11 convention: And, *Provided, further*, that in the county convention that each
 12 of such precinct committeemen in the county convention shall have one vote
 13 and one additional vote for each fifty votes or major fraction thereof of its
 14 party, cast in his precinct for Governor at the last general election, and that
 15 each of such ward committeemen shall have one vote for each precinct in his
 16 ward and one additional vote for each fifty votes or major fraction thereof of
 17 his party cast in each precinct of his ward for Governor at the last general
 18 election.

19 (b) All congressional conventions shall be held on the first Wednesday
 20 after the first Monday next succeeding the April primary. The congressional
 21 convention of each political party shall have power to choose and select ele-
 22 gates and alternate delegates to national nominating conventions and to rec-
 23 ommend to the state convention of its party the nomination of candidate or
 24 candidates from such congressional district for elector or electors of President
 25 and Vice-President of the United States.

26 (c) All state conventions shall be held on the first Friday after the first
 27 Monday next succeeding the April primary. The State convention of each po-
 28 litical party shall have power to make nominations of candidates for the elec-
 29 tors of President and Vice-President of the United States and for trustees of
 30 the University of Illinois, *and to choose and select delegates and alternate*
 31 *delegate-at-large to national nominating conventions*, and to adopt any party
 32 platform.

33 (d) Each convention may perform all other functions inherent to such
 34 political organization and not inconsistent with this Act.

(e) At least thirty-three (33) days before the April primary, the state and congressional committee respectively of each political party shall file in the office of the county clerk in each county of the state, or in each county of the congressional district a call for the state and congressional conventions. Said call shall state among other things, the time and place (designating the building or hall) for holding the state and congressional conventions respectively; the total number of delegates which shall compose each of said conventions, and the call for state conventions shall state, among other things, the number of delegates to which each county is entitled in the state convention, and the call for the congressional convention shall state, among other things, the number of delegates to which each county or political subdivision of any county, as the case may be, is entitled to in the congressional convention. Such call shall be signed by the Chairman and attested by the Secretary of the respective committees.

Sec. 27. The tally sheets for each political party participating in the primary election shall be substantially in the following form:

“Tally Sheet for..... (Name of political party) for thePrecinct, in the County offor a primary held on theay of.....A. D.”

The names of caididates for nomination and for precinct or ward committeemen shall be placed on the tally sheets of each political party by the primary clerks in the order in which they appear on the ballot.

Sec. 28. The name of no candidate *for* nomination or *for* ward *or* *precinct* committeeman shall be printed upon the primary ballot unless a petition for nomination shall have been filed in his behalf as provided in this Act in substantially the following form:

We, the undersigned, members of and affiliated with the.....party and qualified primary electors of said.....party, in theof, in the county ofand State of Ill-

nois, do hereby petition that the following named person or persons shall be a candidate or candidates of the.....party for the nomination for the office or offices hereinafter specified, to be voted for at the primary election held on theday of A. D.

NAME	OFFICE	ADDRESS
John Jones	Governor	Belvidere, Ill.
Thomas Smith	Attorney General	Oakland, Ill.

Name Address

State of Illinois
County, } ss.

I,do hereby certify that I am upwards of the age of twenty-one years, that I reside at No..... Street, in the..... of..... county of..... and State of Illinois, and that the signatures on this sheet were signed in my presence, and are genuine, and that to the best of my knowledge and belief the persons so signing were at the time of signing said petitions qualified voters of the.....party, and that their respective residences are correctly stated, as above set forth.

.....

.....

Subscribed and sworn to before me thisday of.....

A. D.....

.....

.....

Such petitions shall consist of sheets of uniform size and each sheet shall contain above the space for signature an appropriate heading giving the information as to the name of candidate or candidates in whose behalf such petition is signed, the office, the political party represented, place of residence, and such other information or wording as required to make the same valid; and the heading of each sheet shall be the same. Such petition shall be signed by

34 qualified primary electors residing in the political division for which the nom-
35 ination is sought, in their own proper persons only and opposite the signature
36 of each signer, his residence address shall be written (and if a resident of a city
37 having a population of over 10,000 by the then last preceding federal census, the
38 street number of such residence shall be given.) At the bottom of each sheet
39 of such petition shall be added a statement signed by an adult resident of the
40 political division for which the candidate is seeking a nomination, stating his
41 residence address (and if a resident of a city having a population of over
42 10,000 by the then last preceding federal census, also stating the street and
43 number of such residence) certifying that the signatures on that sheet of said
44 petition were signed in his presence and are genuine and that to the best of his
45 knowledge and belief the persons so signing were at the time of signing said
46 petitions qualified voters of the political party for which a nomination is sought.
47 Such statements shall be sworn to before some officer of the county in which
48 the person making such statement resides authorized to administer the oaths
49 therein. Such sheets before being filed shall be neatly fastened together in book
50 form, by placing the sheets in a pile and fastening them together at one edge in a
51 secure and suitable manner and the sheets shall then be numbered consecu-
52 tively. The sheets shall not be fastened by pasting them together end to end
53 so as to form a continuous strip or roll. Said petitions, when filed, shall not be
54 withdrawn or added to and no signatures shall be revoked except by revoca-
55 tion filed in writing with the clerk or other proper officer, with whom the peti-
56 tion is required to be filed, and before the filing of such petition. Whoever, in
57 making the sworn statement above prescribed, shall knowingly, wilfully, and
58 corruptly swear falsely, shall be deemed guilty of perjury, and on conviction
59 thereof, shall be punished accordingly. Whoever forges the name of a signer
60 upon any petition required by this Act, shall be deemed guilty of a forgery and
61 on conviction thereof shall be punished accordingly.

62 Petitions of candidates for nominations for offices herein specified to be
63 filed with the same officer, may contain the names of two or more candidates
64 of the same political party for the same or different offices.

65 Such petitions for nominations shall be signed:

66 (a) If for a state office, by not less than one thousand, nor more than two
67 thousand primary electors of his party.

68 (b) If for a congressional office, by at least one-half of one percent of the
69 qualified primary electors of his party in his congressional district, as the case
70 may be.

71 (c) *If for a county office, by at least one-half of one percent of the quali-*
72 *fied electors of his party cast at the last preceding general election in his*
73 *county: . Provided, that if for the nomination for county commissioner of Cook*
74 *County, then by at least one-half of one percent of the qualified primary elec-*
75 *tors of his party in his county, in the district or division in which such person*
76 *is a candidate for nomination.*

77 (d) *If for a city or village office to be filled by the electors of the entire*
78 *city or village by at least one-half of one percent of the qualified primary elec-*
79 *tors of his party in his city or village; if for alderman, by at least one-half of*
80 *one percent of the voters of his party in his ward.*

81 (e) *If for a candidate for trustee of a sanitary district by at least one-*
82 *half of one percent of the primary electors of his party from such sanitary*
83 *district.*

84 (f) *If for a candidate for clerk of the appellate court, by at least one-half*
85 *of one percent of the primary electors of his party of the district.*

86 (g) *If for a candidate for ward or precinct committeeman, by at least ten*
87 *primary electors of his party of his ward or precinct.*

88 (h) *If for any other office, by at least ten primary electors of the party*
89 *of the district or division for which nomination is made.*

Sec. 30. All petitions for nomination shall be filed as follows:

2 1. Where the nomination is to be made for a state, congressional, or ap-
3 pellate court office, or for any office, a nomination for which is made for a ter-
4 ritorial division or district, which comprises more than one county, or is

5 partly in one county and partly in another county or counties, then such peti-
6 tion for nomination shall be filed in the office of the Secretary of State not
7 more than *fifty (50)* and not less than forty (40) days prior to the date of the
8 primary.

9 2. Where the nomination is to be made for a county office *or* trustee of a
10 sanitary district (except clerk of the appellate court of the first district) then
11 such petition shall be filed in the office of the county clerk not more than *fifty*
12 *(50)* nor less than forty (40) days prior to the date of the primary.

13 3. Where the nomination is to be made for an office to be filled by the elec-
14 tors of an entire city or village, including aldermen, such petitions for nomina-
15 tion shall be filed in the office of the city or village clerk not more than thirty
16 (30) nor less than twenty (20) days prior to the date of the primary.

17 4. Where the nomination is to be made for an office to be filled by the elec-
18 tors of a town, then such petition for nomination shall be filed in the office of
19 the town clerk not more than thirty (30) and not less than twenty (20) days
20 prior to the date of the primary.

21 5. *Where the nomination is to be made for ward or precinct committee-*
22 *man, then such petition shall be filed in the office of the county clerk not more*
23 *than fifty (50), nor less than (40) days prior to the date of the primary.*

24 6. The Secretary of State, and the various clerks with whom such peti-
25 tions for nominations are filed, shall endorse thereon the day and hour on
26 which each petition was filed.

27 7. Any person for whom a petition for nomination has been filed *with*
28 *the Secretary of State or with the County Clerk* may cause his name to be with-
29 drawn by request in writing, signed by him and duly acknowledged before an
30 officer qualified to take acknowledgments of deeds, and filed with the Secre-
31 tary of State or with the proper clerk, as the case may be, not less than thirty-
32 five (35) days prior to the date of the primary, *and any person for whom a pe-*
33 *tition for nomination has been filed with the city, village, or town clerk may*
34 *cause his name to be withdrawn by request in writing signed by him and duly*

35 *acknowledged before an officer qualified to take acknowledgement of deeds and*
 36 *filed with the proper city, village, or town clerk, as the case may be, not less*
 37 *than eighteen (18) days prior to the date of the primary, and no names so*
 38 *withdrawn shall be printed on the primary ballot.*

Sec. 31. Not less than thirty (30) days prior to the date of the primary,
 2 the Secretary of State shall certify to the county clerk of each county, the
 3 names of all candidates for President of the United States, and of all candi-
 4 dates for nomination for all offices as specified in the petition for nomination
 5 on file in his office, which are to be voted for in such county, stating in such cer-
 6 tificates the political affiliation of each candidate for nomination, as specified
 7 in said petition.

8 The Secretary of State shall in his certificate to the county clerk, certify to
 9 said county clerk the names of the offices and the names of the candidates in the
 10 order in which said offices and said names (except the names of candidates for
 11 state officers) shall appear upon the primary ballot, said names (except the
 12 names of candidates for state offices), to appear in the order in which petition
 13 shall have been filed, except as otherwise provided in this Act.

14 The names of candidates for state offices shall be certified in the manner fol-
 15 lowing: The Secretary of State shall certify to the county clerk of each county
 16 of each and every senatorial district, beginning with the first senatorial dis-
 17 trict, the names of candidates for state offices in the order in which such names
 18 shall appear upon the official primary ballot in each and every precinct of such
 19 senatorial district.

20 In making his certificate to the county clerk of the county or counties in
 21 which the first senatorial district is located, the Secretary of State shall certify
 22 to such county clerks the names of the offices and the names of the candidates
 23 for said offices in alphabetical order of the first letters of the surname of such
 24 candidate. In certifying the names of candidates for state offices to the county
 25 clerk or county clerks of the counties composing the second senatorial district,

26 the Secretary of State shall certify the name of the candidate under each office
27 as first which was second in the first senatorial district, and the name of the
28 candidate which was first in the first senatorial district shall be certified as last in
29 the second senatorial district. In certifying the names of candidates for state
30 offices to the county clerk or county clerks of the counties composing the third
31 senatorial district, the Secretary of State shall certify the name of the candi-
32 date under each office as first which was second in the second senatorial district,
33 and the name of the candidate which was first in the second senatorial district
34 shall be certified as last in the third senatorial district. The same procedure
35 shall be followed by the Secretary of State in certifying the names of candidates
36 for state offices to the several county clerks of the several senatorial districts
37 of the state, the intent being that the names of candidates for each of the state
38 offices shall be rotated by senatorial districts.

39 Not less than twenty-eight (28) days prior to the date of the primary, the
40 county clerk shall certify to the board of election commissioners, if there be
41 any such board in his county, the names of all candidates so certified to him by
42 the Secretary of State, together with a list of the names of all other candi-
43 dates in whose behalf petitions have been filed in his office and in the order so
44 filed. And not less than *fifteen (15)* days prior to the date of the primary, the
45 city, village or town clerk, as the case may be, shall also certify to such board
46 the names of all candidates in whose behalf petitions have been filed in the
47 office of such city clerk or town clerk, as the case may be, and in the order so
48 filed.

#

Sec. 35. The primary ballot of each political party for each precinct shall
2 be arranged and printed substantially in the manner following:

3 1. At the top of the ballot shall be printed in large capital letters words
4 designating the ballot—if a Republican ballot, the designating words shall be
5 “REPUBLICAN PRIMARY BALLOT;” if a Democratic ballot, the designat-
6 ing words shall be: “DEMOCRATIC PRIMARY BALLOT;” and in like
7 manner for each political party.

8 2. Beginning not less than one inch below designating words, the name of
 9 each office to be filled shall be printed in capital letters and in the following or-
 10 der to-wit:

11 President of the United States, state offices, congressional offices, clerks of
 12 the appellate courts, trustees of sanitary districts, county offices, city and vil-
 13 lage offices, town offices, or of such of the said offices as candidates are to be
 14 nominated for at such primary and ward *and precinct* committeemen.

15 Below the names of each office shall be printed in small letters the direc-
 16 tions to voters: "Vote for one;" "Vote for two;" "Vote for three;" or a
 17 spelled number designating how many persons under that head are to be voted
 18 for.

19 Below the name of each office shall be printed in capital letters the names of
 20 all candidates, arranged in the order in which their petitions for nomination were
 21 filed, except as otherwise provided in Section 33 of this Act for the nomination
 22 of said offices, which are entitled to be placed upon the respective party pri-
 23 mary ballot. The names of all candidates upon the primary ballot shall be
 24 printed in a column. Immediately opposite and in front of the name of each
 25 candidate shall be printed a square and all squares upon the primary ballot
 26 shall be of uniform size. Spaces between the names of candidates under each
 27 office shall be uniform and sufficient spaces shall separate the names of candi-
 28 dates for one office from the names of candidates for another office to avoid con-
 29 fusion.

 Sec. 46. On receiving from the primary judges a primary ballot of his
 2 party, the primary elector shall forthwith, and without leaving the polling place,
 3 retire alone to one of the voting booths and prepare such primary ballot by
 4 marking a cross (X) in the square in front and opposite the name of each can-
 5 didate of his choice for each office to be filled. At the primary election at which
 6 a *ward* or precinct committeeman is to be elected, the primary elector *shall*
 7 *mark with a cross (X) in the square in front of and opposite the name of the*
 8 *candidate of his choice for ward or precinct committeeman, as the case may be.*

Sec. 51. If the primary elector marks more names upon the primary ballot than there are persons to be nominated as candidates for an office or for precinct or ward committeeman, or if for any reason it is impossible to determine the primary elector's choice of a candidate for the nomination for an office or committeeman, his primary ballot shall not be counted for the nomination for an office or committeeman.

No primary ballot, without the endorsement of the judge's initials thereon, shall be counted. Any judge wilfully omitting to endorse his initials on a primary ballot, as required by this Act, shall be guilty of a misdemeanor and punishable by a fine not exceeding one hundred dollars for each offense.

Primary ballots not counted shall be marked "defective" on the back thereof; and primary ballots to which objections have been made by either of the primary judges or challengers shall be marked "objected to" on the back thereof; and a memorandum, signed by the primary judges, stating how it was counted, shall be written on the back of each primary ballot so marked; and all primary ballots marked "defective" or "objected to" shall be enclosed in an envelope and securely sealed, and so marked and endorsed as to clearly disclose its contents.

All primary ballots not voted, and all that have been spoiled by voters while attempting to vote, shall be returned to the proper clerk by the primary judges and a receipt taken therefor, and shall be preserved three months. Such official shall keep a record of the number of primary ballots delivered for each polling place, and he or they shall also enter upon such record the number and character of primary ballots returned with the time when and the persons by whom they are returned.

Sec. 53. As soon as the ballots of a political party shall have been read, and the votes of said political party counted, as provided in the last above section, the primary clerk shall foot up the tally sheets so as to show the total number of votes cast for each candidate of said political party and for each candi-

5 date for precinct or ward committeeman and certify the same to be correct.
 6 Thereupon, the primary judges shall set down in the primary poll books under
 7 the name of said political party, the name of each candidate voted for upon the
 8 primary ballot, written at full length the name of the office for which he is a
 9 candidate for nomination or for committeeman, and the total number of votes
 10 which said candidate received, and the primary poll books to be made substan-
 11 tially in the following form:

12Party.

13 At the primary election held in this precinct on the.....day
 14 of.....A. D. 19..., the respective candidates whose names were
 15 written or printed on the primary ballot of said.....party,
 16 received respectively the following votes:

Name of Candidate.	Title of Office.	No. of Votes.
John Jones	Governor	100
Sam Smith	Governor	70
Frank Martin	Attorney General	150
William Preston	Representative in Congress	206
Frederick John	County Judge	59

17 And son on for each candidate.

18 We hereby certify the above and foregoing to be true and correct.

19 Dated thisday of.....A. D. 19...

20

21

22 Judges of Primary.

Sec. 56. As soon as complete returns are delivered to the proper clerk, the
 2 returns shall be canvassed as follows:

3 1. In the case of the nomination of candidates for city offices by the
 4 mayor, the city attorney and the city clerk.

5 In the case of nomination of candidates for village offices by the president
6 of the board of trustees, one member of the board and the village clerk.

7 The officers who are charged by law with the duty of canvassing returns of
8 general elections made to the county clerk, shall also open and canvass the re-
9 turns made to such county clerk. Upon the completion of the returns by the
10 county canvassing board, said canvassing board shall make a tabulated statement
11 of the returns for each political party separately, stating in appropriate col-
12 umns and under proper headings, the total number of votes cast in said county
13 for each candidaté for nomination by said party, including candidates for
14 President of the United States. Within two (2) days after the completion of said
15 canvass by said canvassing board, the county clerk shall mail to the Secretary
16 of State a certified copy of such tabulated statement of returns: Provided,
17 however, that the number of votes cast for the nomination for offices, the certi-
18 ficate of election for which offices, under the general election laws are issued by
19 the county clerk shall not be included in such certified copy of said tabulated
20 statement of returns.

21 4. In the case of the nomination of candidates for offices including Presi-
22 dent of the United States, certified tabulated statement of returns for which
23 are filed with the Secretary of State, said returns shall be canvassed by the Gov-
24 ernor, Secretary of State and State Treasurer: And, provided, further, that
25 within five (5) days after said returns shall be canvassed by the said State Pri-
26 mary Canvassing Board, the Secretary of State shall cause to be published in
27 one daily newspaper of general circulation at the seat of the State government
28 in Springfield a certified statement of the returns filed in his office showing the
29 total vote cast in the State for each candidate of each political party for Presi-
30 dent of the United States and showing the total vote for each candidate of each
31 political party for President of the United States cast in each of the several con-
32 gressional districts in the State.

33 5. Where in cities or villages which have a board of election commission-
34 erss, the returns of a primary are made to such board of election commission-

ers, said returns shall be canvassed by such board, and, excepting in the case of the nomination of candidate for any city or town office in such city, tabulated statements of the returns of such primary shall be made to the county clerk.

Sec. 57. Each of said canvassing boards respectively, shall, upon completion of the canvassing of the returns make proclamation of the result of said primary for each political party and shall make and execute a certificate, and unless a notice of contest shall have been filed with said canvassing board ten (10) days after completion of the canvass, shall file such certificates in the office of the Secretary of State or in the office of the clerk, whose duty it is to print the official ballot for the election for which the nomination is made, as the case may be, stating therein the name of each candidate of each political party so nominated or elected, as shown by the returns, together with the name of the office for which he was nominated or elected, including ward *and precinct* committeemen. In case a notice of contest shall be filed with any canvassing board, such canvassing board shall withhold its certificate until a certified copy of the decree or order of the court hearing such contest shall have been filed with such canvassing board. The said canvassing board shall within one (1) day after receiving a certified copy of said decree or order proceed to finish the canvass of the returns as corrected by such decree and make proclamation accordingly.

Upon the filing of said certificate in the office of the Secretary of State, or in the office of the proper clerk, as the case may be, the Secretary of State, or the proper clerk, as the case may be, shall within one (1) day thereafter issue a certificate of nomination to each of the candidates so proclaimed nominated.

Sec. 58. The person receiving the highest number of votes at a primary as a candidate of a party for the nomination for an office, shall be the candidate of that party for such office, and his name as such candidate shall be placed on the official ballot at the election then next ensuing: Provided, that where there are two or more persons to be nominated for the same office or board, the requisite number of persons receiving the highest number of votes shall be nomi-

7 nated and their names shall be placed on the official ballot at the following
8 election.

9 In the case of candidates for nomination for members of the board of
10 assessors where five are to be elected, four of whom are to be elected from any
11 one city, and the city has the requisite number, then the candidate for nomination
12 living outside of such city having the highest number of votes of his party
13 shall be nominated and his name shall be placed on the official ballot at the
14 following election.

15 The person receiving the highest number of votes of his party for ward
16 or *precinct* committeeman of his ward or *precinct* shall be declared elected ward
17 committeeman from said ward or *precinct*.

18 When two or more persons receive an equal and the highest number of
19 votes for the nomination for the same office, or for a committeeman of the same
20 political party, or where more than one person of the same political party
21 is to be nominated as a candidate for office or committeeman, if it appears that
22 more than the number of persons to be nominated for an office or elected com-
23 mitteeman have the highest and an equal number of votes for the nomination
24 for the same office, or for election as committeeman, the board by which the
25 returns of the primary are canvassed shall decide by lot which of such persons
26 shall be nominated or elected, as the case may be. In such case, such canvass-
27 ing board shall issue notice in writing to such persons of such tie vote stating
28 therein the place, the day (which shall not be more than five (5) days there-
29 after) and the hour when such nomination or election shall be so determined.

Sec. 60. Whenever a special election shall be necessary, the provisions of
2 this act shall be applicable to the nomination of candidates to be voted for at
3 such special election. The officer or board or commission, whose duty it is under
4 the general election laws of this state to call an election shall fix a date for the
5 primary for the nomination of candidates to be voted for at such special elec-
6 tion. At least fifteen (15) days' notice shall be given of such primary.

7 In case a candidate who has been nominated under the provisions of this
 8 act shall die before election, or decline the nomination, or, should the nomina-
 9 tion for any other reason become vacant, the managing committee of the re-
 10 spective political parties for the territorial area in which such vacancy occurs,
 11 shall nominate a candidate or candidates of the respective parties to fill such
 12 vacancies on the ticket. *In case a ward or precinct committeeman who has*
 13 *chosen under the provisions of this act shall die or resign his office, or should*
 14 *the office for any other reason become vacant, the county central committee shall*
 15 *choose a new ward or precinct committeeman, as the case may be, to fill the*
 16 *unexpired term; and the office of ward or precinct committeeman shall be deemed*
 17 *to be vacant under the provisions of this section in case the incumbent thereof*
 18 *shall cease to be an actual resident of his respective ward or precinct.*

Sec. 63. Nothing in this Act contained shall be construed to prevent the
 2 nomination of independent candidates by petition, as is now or may hereafter
 3 be provided by law: *Provided, however, that the name of no person for whom*
 4 *or in whose behalf a nominating petition has been prepared shall be placed upon*
 5 *the official ballot to be voted at any election, unless the said petition has been*
 6 *filed with the proper officer or officers on or before the day of the primary held*
 7 *to nominate candidates to be voted on at such election.*



1 Adopted May 11, 1921.

AMENDMENT NO. 4.

Amend printed House Bil No. 719, on page 2, in section 1, line 16, by insert-
2 ing after the word, "candidates" the following words: "and of candidates for
3 township offices."

AMENDMENT NO. 5.

Amend House Bill No. 719, paragraph 3 of Section 9, by adding thereto the
2 following:
3 "Provided, that when because of redistricting or otherwise, new precincts
4 or new wards have been created in which precinct committeemen or ward com-
5 mitteemen have been elected and the vote for Governor in those precincts can
6 not be determined, then the largest vote of the party cast in the various pre-
7 cincts for nomination for any single office in the primary election of which pre-
8 cinct committeemen or ward committeemen are elected, shall be taken uniformly
9 as a basis for voting as herein before provided, until such a time as the vote
10 for Governor may be determined in all the various precincts."

AMENDMENT NO. 6.

Amend House Bill No. 719, paragraph 4 of Section 9, by adding thereto the
2 following:
3 "Provided, That when because of redistricting or otherwise, new precincts
4 or new wards have been created in which precinct committeemen or ward com-

5 mitteemen have been elected and the vote for Governor in those precincts can
6 not be determined, then the largest vote of the party cast in the various precincts
7 for nomination for any single office in the primary election at which precinct
8 committeemen or ward committeemen are elected, shall be taken uniformly as a
9 basis for voting as herein before provided, until such a time as the vote for
10 Governor may be determined in all the various precincts.”

AMENDMENT NO. 7.

Amend House Bill No. 719, paragraph (a) of Section 10, by adding thereto
2 the following:

3 “And, provided, further, that when because of redistricting or otherwise,
4 new precincts or new wards have been created in which precinct committeemen
5 or ward committeemen have been elected and the vote for Governor in those pre-
6 cincts cannot be determined, then the largest vote of the party cast in the vari-
7 ous precincts for nomination for any single office in the primary election at
8 which precinct committeemen or ward committeemen are elected, shall be taken
9 uniformly as a basis for voting as herein before provided, until such a time as
10 the vote for Governor may be determined in all the various precincts.”



1 Adopted May 24, 1921.

AMENMENT NO. 8.

Amend House Bill No. 719, on page 22, Section 63, in the printed bill, by
2 striking out all after the colon in line 3 of said section, and by inserting in lieu
3 thereof the following:

4 “Provided, however, that the name of no person who has submitted his
5 name in good faith in the primary election for an elective office shall be filed
6 as an independent candidate for the same office in the election directly following
7 in that year.”



- 1 Introduced by Committee on Waterways, April 28, 1921.
- 2 Substitute for H. B. No. 203.
- 3 Read at large a first time, ordered printed and to a second reading.

A BILL

For an Act to amend Sections 3, 4 and 7 of an Act entitled, "An Act to create sanitary districts and to remove obstructions in the Desplaines and Illinois rivers," approved May 29, 1889, in force July 1, 1889, as subsequently amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That Sections 3, 4 and 7 of an Act enti-
3 tled, "An Act to create sanitary districts and to remove obstructions in the Des-
4 plaines and Illinois rivers," approved May 29, 1889, in force July 1, 1889, as
5 subsequently amended, be and the same are hereby amended to read as follows:

Sec. 3. In each sanitary district organized under this Act, there shall be
2 elected at the November election, 1905, nine trustees, three of which trustees
3 shall hold their office for a term of one year, three for a term of three years, and
4 three for a term of five years, and until their successors shall be elected and
5 qualified.

6 At every regular county election occurring after the year 1905, there shall be
 7 elected three trustees who shall hold their offices for six years, and until their
 8 successors shall be elected and qualified, to succeed those whose terms of office
 9 shall expire that year. In all elections for trustees each elector may vote for as
 10 many candidates as there are trustees to be elected, but no elector may give
 11 to such candidates more than one vote, it being the intent and purpose of this
 12 Act to prohibit cumulative voting in the selection of members of the board of
 13 trustees of the sanitary district.

14 When a vacancy shall occur in the office of trustees of any sanitary district
 15 organized under the provisions hereof within one year before the expiration of
 16 the term of such vacant office, the vacancy shall be filled by appointment by the
 17 board of trustees of such sanitary district, but if such unexpired term exceeds
 18 one year, the Governor shall appoint the time for an election to fill such vacancy,
 19 and shall file a notice of such time with the county clerk of each of the counties
 20 in which (such) sanitary district shall be situated.

21 Such sanitary district shall from the time of the first election held by it under
 22 this Act be construed in law and equity a body corporate and politic, and by the
 23 name and style of the sanitary district of, any by such name
 24 and style may sue and be sued, contract and be contracted with, acquire and hold
 25 real estate and personal property necessary for corporate purposes, and adopt
 26 a common seal and alter the same at pleasure.

Sec. 4. The trustees elected in pursuance of the foregoing provisions of
 2 this Act shall constitute a board of trustees for the district by which they are
 3 elected, which board of trustees is hereby declared to be the corporate author-
 4 ities of such sanitary district, and shall exercise all the powers and manage and
 5 control all the affairs and property of such district. Said board of trustees
 6 shall have the right to elect *from their own number a president, and from with-*
 7 *out their own number* a clerk, treasurer, chief engineer and attorney for such mu-
 8 nicipality, who shall hold their respective offices during the pleasure of the
 9 board, who shall give bond as may be required by said board. Said board may

10 prescribe the duties and fix the compensation of all the officers and employes of
11 said sanitary district: *Provided, however,* that the salary of the president, of
12 said board of trustees elected subsequent to the year 1910 shall in no case ex-
13 ceed seven thousand five hundred dollars (\$7,500.00) per annum and the sal-
14 ary of each of the other trustees elected subsequent to the year 1920, shall not
15 exceed *seven thousand five hundred dollars (\$7,500.00)* per annum. Any incum-
16 bent of the office of trustee (excepting said president) whose term is now run-
17 ning and does not expire until after the passage of this Act may appoint a pri-
18 vate secretary, and such appointment shall remain in force until revoked by the
19 trustee making the same, and such secretarqy shall receive a salary at the rate
20 of two thousand *five hundred* dollars (\$2,500.00) par annum, payable monthly.
21 No trustee (excepting the president) shall be entitled to appoint such private sec-
22 retary during such time as he shall receive the maximum salary herein author-
23 ized. Any incumbent of the office of president heretofore or hereafter elected
24 may appoint a private secretary, which secretary shall receive a salary not to
25 exceed three thousand five hundred dollars (\$3,500.00) per annum, payable
26 monthly. Any such appointment made by the president shall remain in force
27 *during his incumbency unless sooner* revoked by such president.

28 Said board of trustees shall have full power to pass all necessary ordinan-
29 ces, orders, rules, resolutions and regulations for the proper management and
30 conduct of the business of said board of trustees and of said corporation and
31 for carrying into effect the object for which such sanitary district is formed.
32 All ordinances, orders, rules, resolutions and regulations passed by said board
33 of trustees shall, before they take effect, be approved by the president of said
34 board of trustees, and if he shall approve thereof, he shall sign the same, and
35 such as he shall not approve he shall return to the board of trustees with his
36 objections thereto in writing at the next regular meeting of said board of trus-
37 tees occurring after the passage thereof. Such veto may extend to any one or
38 more items or appropriations contained in any ordinance making an appropri-
39 ation, or to the entire ordinance; and in case the veto extends to a part of such

ordinance, the residue thereof shall take effect and be in force, but in case the president of such board of trustees shall fail to return any ordinance, order, rule, resolution or regulation with his objections thereto by the time aforesaid, he shall be deemed to have approved the same, and the same shall take effect accordingly. Upon the return of any ordinance, order, rule, resolution or regulation by the president, the vote by which the same was passed shall be reconsidered by the board of trustees, and if upon such reconsideration two-thirds of all the members elect shall agree by yeas and nays to pass the same it shall go into effect notwithstanding the president may refuse to approve thereof.

Sec. 7. The board of trustees of any sanitary district organized under this Act shall have power to provide for the drainage of such district by laying out, establishing, constructing and maintaining one or more main channels, drains, ditches and outlets for carrying off and disposing of the drainage (including the sewage) of such district, together with such adjuncts and additions thereto as may be necessary or proper to cause such channels or outlets to accomplish the end for which they are designed in a satisfactory manner; *and may lay out, establish, construct and maintain, or provide for the laying out, establishing, constructing and maintaining of sewage disposal and treatment plants and works, within or without the territorial boundaries of such sanitary district, that may be advantageous or necessary in preventing the water in any channel, ditch, drain, outlet or other improvement of the sanitary district discharged into or through any river or stream of water beyond or without the limits of the district constructing the same from becoming offensive or injurious to the health of any of the people of the State, and, in the case of the Sanitary District of Chicago, beginning with the year 1925, some efficient method of treating sewage other than by water dilution shall be annually provided to create an effluent thereof which shall not be offensive or injurious to the health of any of the people of the State, and which shall be adequate to care for a population of not less than 300,000, until at least 60 percentum of the present popula-*

tion of the Sanitary District of Chicago has been provided for; also to make and establish docks adjacent to any navigable channel made under the provisions hereof for drainage purposes, and to lease, manage, and control such docks, and any land adjoining, or adjacent thereto, owned or controlled by such sanitary district and also to control and dispose of any waterpower which may be incidentally created in the construction and use of said channels or outlets, but in no case shall said board have any power to control water after it passes beyond its channel, waterways, races or structures into a river or natural waterway or channel, or waterpower, or docks, situated on such river or natural waterway, or channel: *Provided, however, nothing in this Act shall be construed to abridge or prevent the State from hereafter requiring a portion of the funds derived from such waterpower, dockage or wharfage to be paid into the State Treasury to be used for State purposes, nor from supervising for purposes of navigation any channel which has been heretofore or may be hereafter constructed by any such district.* Such channels or outlets may extend outside the territory included within such sanitary district and the rights and powers of said board of trustees over the portion of such channel or outlet lying outside of such district shall be the same as those vested in said board over that portion of such channels or outlets within the said district, *but in the case of The Sanitary District of Chicago, such rights and powers of the board of trustees, shall not extend beyond the terminus of its main channel at Lockport in the township of Lockport, in the County of Will, Illinois.*



- 1 Introduced by Mr. Weinshenker, April 28, 1921.
- 2 Read by title, ordered printed and referred to Committee on Elections.

A BILL

For an Act to amend Section 15 of Article IV of "An Act regulating the holding of elections and declaring the result thereof in cities, villages and incorporated towns in this State," approved June 19, 1885, in force July 1, 1885, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 15 of Article IV of "An Act regu-
3 lating the holding of elections and declaring the result thereof in cities, villages
4 and incorporated towns in this State," approved June 19, 1885, in force July
5 1, 1885, as amended, is amended to read as follows:

Sec. 15. The said judges of election shall make *triplicate* statements of the
2 result of the canvass, which shall be written or partly written and partly printed.
3 Each of the statements shall contain a caption stating the day on which, and
4 the number of the election precinct and the ward, city and county, in relation
5 to which such statements shall be made, and the time of opening and closing of
6 the polls of such election precinct. It shall also contain a statement showing the
7 whole number of votes given for each person, designating the office for which they

8 were given, which statement shall be written, or partly written and partly
9 printed, in words at length; and in case a proposition of any kind has been
10 submitted to a vote at such election, such statements shall also show the whole
11 number of votes cast for or against such proposition, written out or partly writ-
12 ten and partly printed, in words at length. And at the end thereof a certificate
13 that such statement is correct in all respects; which certificate, and each sheet
14 of paper forming a part of the statement, shall be subscribed by the said
15 judges and election clerks. If any judge or election clerk shall decline to sign
16 such return, he shall state his reason therefore in writing and a copy thereof
17 signed by himself shall be enclosed with each return. *One of the statements so*
18 *made shall immediately upon the completion of such statements be posted in a*
19 *conspicuous place in the polling place. When the polling place has a window*
20 *on the public street the statement shall be posted in such window so that it may*
21 *be read from the outside. Any person falsifying such statement, or tearing*
22 *down, defacing, destroying, mutilating or secreting such statement within*
23 *twenty-four hours after it has been so posted, shall be guilty of a misdemeanor*
24 *punishable by imprisonment in the county jail not exceeding six months.* Each
25 of the *other two* statements shall be enclosed in a *separate* envelope, which
26 shall then be securely sealed with sealing wax or other adhesive material; and
27 each of the judges and each of the election clerks shall write his name across
28 every fold at which the envelope, if unfastened, could be opened. One of the
29 envelopes shall be directed to the county clerk and one to the comptroller of
30 the city, or to the officer of such city whose duties correspond with those of
31 comptroller. Each set of tallies shall also be signed by the election clerks and
32 judges of the election. And each shall be enclosed in an envelope, securely
33 sealed and signed in like manner; and one of the envelopes shall be directed
34 on the outside to the election commissioners and the other to the city, village
35 or town clerk. On the outside of every envelope shall be endorsed whether it
36 contains the statement of the votes cast or the tallies, and for what precinct and
37 ward, village or town.



- 1 Introduced by Mr. Lindstrum, April 28, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Section 26 of "An Act to revise the law in relation to counties," approved and in force March 31, 1874, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 26 of "An Act to revise the law
3 in relation to counties," approved and in force March 31, 1874, as amended, is
4 amended to read as follows:

Sec. 26. It shall be the duty of the county board of each county:

2 First—To erect or otherwise provide when necessary, and the finances of
3 the county will justify it, and keep in repair, a suitable court house, jail and
4 other necessary county buildings, and to provide proper rooms and offices for
5 the accommodation of the several courts of record of the county, and for the
6 county board, county clerk, county treasurer, recorder, sheriff, and the clerks
7 of said courts and to provide suitable furniture therefor. But in counties not
8 under township organization, no appropriations shall be made for the erection
9 of public buildings, without first submitting the proposition to a vote of the

10 people of the county, and said vote shall be submitted in the same manner and
 11 under the same restrictions as provided for in like cases in Section 27 of this
 12 Act; and the votes therefor shall be "For taxation," specifying the object, and
 13 those against shall be "Against taxation," specifying the object.

14 Second—To provide and keep in repair, when the finances of the county
 15 permit, suitable fireproof safes or offices for the county clerk, county treasurer,
 16 recorder, sheriff and clerks of said courts.

17 Third—To provide suitable books, stationery, printing and postage for the
 18 use of the county board, county clerk, county treasurer, recorder, sheriff, coro-
 19 ner, State's attorney, superintendent of schools, surveyor, judges and clerks of
 20 courts of reord.

21 Fourth—To cause to be published at the close of each annual, regular or
 22 special meeting of the board, a brief statement of the proceedings thereof in one
 23 or more newspapers published in the county, in which shall be set forth the
 24 name of every individual who shall have had any account audited and allowed
 25 by said board and the amount of said claim as allowed, and the amount claimed,
 26 and also their proceedings upon the equalization of the assessment roll: *Pro-*
 27 *vided*, that no publication in a newspaper shall be required unless the same
 28 can be done without unreasonable expense.

29 Fifth—To make out at its meeting in September, annually, a full and ac-
 30 curate statement of the receipts and expenditures of the preceding year, which
 31 statement shall contain a full and correct description of each item, from whom
 32 and on what account received, to whom paid, and on what account expended,
 33 together with an accurate statement of the finances of the county at the end of
 34 the fiscal year, including all debts and liabilities of every description, and the
 35 assets and other means to discharge the same; and within thirty days thereafter
 36 to cause the same to be posted up at the court house door, and at two other
 37 places in the county, and published for one week in some newspaper therein, if
 38 there is one, and the same can be done without unreasonable expense.

39 Sixth—*To take full charge of all county buildings, and the assignment of*
 40 *offices, rooms and quarters therein.*



- 1 Introduced by Mr. Morassy, April 28, 1921.
- 2 Read by title, ordered printed and referred to Committee on Municipalities.

A BILL

For an Act to legalize the organization of villages under “An Act to provide for the incorporation of cities and villages,” approved April 10, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois.*

2 *represented in the General Assembly:* Whenever the inhabitants of an incorpo-
3 rated town have attempted to have such town organized as a village under the
4 provisions of “An Act to provide for the incorporation of cities and villages,”
5 approved April 10, 1872, in force July 1, 1872, and have followed the procedure
6 outlined in Article XI of that Act for the organizationz of villages but the cor-
7 porate authorities have failed to file certified copies of the record in the
8 matter of such organization with the recorder of deeds of the county as required
9 by Section 13 of Article I of that Act, in any such case if a certified copy of
10 the record in the matter of such organization shall be filed and recorded as re-
11 quired by Section 13 of Article I of that Act, as amended, within six months
12 after this Act takes effect, then the organization of such village shall be deemed

13 valid and effective and all the Acts of any such village, if otherwise legal, are
14 made legal and binding; and the Secretary of State is directed to charter such
15 village by his certificate duly authenticated under his hand and the great seal
16 of the State.

Sec. 2. Because of an emergency, this Act shall take effect upon its pass-
2 age.



- 1 Introduced by Mr. Parish, April 28, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Section 3 of "An Act to revise the law concerning the time of holding the terms of circuit court and of the calling of juries in the several judicial circuits exclusive of Cook County," approved June 23, 1915, in force July 1, 1915, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Section 3 of "An Act to revise the law concerning the time of holding the terms of circuit court and of the calling of juries in the several judicial circuits exclusive of Cook County," approved June 23, 1915, in force July 1, 1915, as amended, is amended to read as follows:

Sec. 3. SECOND CIRCUIT.] In the county of Hardin on the fourth Monday of March, the second Mondays of July and November, provided that there shall be no grand or traverse jury summoned for the July term of said court unless by special order of the judge of said court which order may be made either in term time or in vacation; in the county of Gallatin on the first Mondays of April, June and October, provided that there shall be no grand or traverse

7 jury summoned for said June term of said court unless by special order of the
 8 judge of said court, which order may be made either in term time or in vaca-
 9 tion; in the county of White on the third Monday in January and the second
 10 Mondays of May and October, *Provided*, that there shall be no grand or trav-
 11 erse jury summoned for said January term of said court unless by special
 12 order of the judge of said court, which order may be made either in term time or
 13 in vacation; in the county of Hamilton on the *second Monday of March, the second*
 14 *Monday of June, the second Monday of September, and the second Monday of*
 15 *December; Provided, there shall be no grand or traverse jury summoned for*
 16 *the June and December terms of said court unless by special order of the judge*
 17 *of said court, which order may be made either in term time or vacation; in the*
 18 county of Franklin on the first Monday of February, the fourth Monday of May,
 19 the second Monday of September and the fourth Monday of November, *Pro-*
 20 *vided*, that no grand jury or traverse jury shall be summoned for said Febru-
 21 ary and September terms unless so ordered by the court, which order may be
 22 made either in term time or vacation; in the county of Wabash on the third
 23 Mondays of April and November; in the county of Edwards, on the second
 24 Mondays of April and November; in the county of Wayne on the third Mon-
 25 days in January, March, June and October; in the county of Jefferson on the
 26 second Monday of January, April, July and October, provided that there shall
 27 be no jury summoned for the July term of court in said county, unless by spe-
 28 cial order of the Judge of said court, which order may be made either in term
 29 time or in vacation; in the county of Richland on the third Mondays of April,
 30 July and November, provided that no jury shall be impaneled for the July
 31 term unless by special order of the Judge of said court, which order may be
 32 made either in term time or in vacation; in the county of Lawrence on the first
 33 Mondays of May, October and February, provided that no jury shall be impan-
 34 eled for the February term, except by special order of a judge of said court,
 35 which order may be made either in term time or in vacation; in the county of
 36 Crawford on the first Mondays of March, September and December, provided

37 no jury shall be summoned for said December term unless by special order of a
38 judge of said court, which order may be entered either in term time or in vaca-
39 tion.



1 Adopted May 17, 1921,

AMENDMENT NO. 1.

Amend House Bill No. 724 by inserting after the semi-colon after the word
2 “vacation” in line 17 of the printed bill the following words: “*Provided, further,*
3 that all processes issued in Hamilton County after the passage of this Act shall
4 be returnable to said terms as herein fixed, and all suits, proceedings, writs and
5 processes of every kind and nature, including bonds and recognizances, either
6 civil or criminal heretofore commenced or pending or issued in or out of or to
7 said Circuit Court of Hamilton County, or that may be pending therein, at the
8 time this Act takes effect, shall be cognizable and triable at the first term of said
9 Circuit Court after this Act takes effect.



- 1 Introduced by Mr. Flagg, April 28, 1921.
- 2 Read by title, ordered printed, and referred to Committee on Elections.

A BILL

For an Act to amend Section 7 of an Act entitled, “An Act to provide for the printing and distribution of ballots at public expense and for the nomination of candidates for public offices, to regulate the manner of holding elections and to enforce the secrecy of the ballot,” approved June 28, 1891, in force July 1, 1891, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That Section 7 of an Act entitled, “An
3 Act to provide for the printing and distribution of ballots at public expense and
4 for the nomination of candidates for public offices, to regulate the manner of
5 holding elections and to enforce the secrecy of the ballot,” approved June 28,
6 1891, in force July 1, 1891, as amended, is amended to read as follows:

Sec. 7. Certificates of nomination and nomination papers for the nomination of candidates for offices to be filled by the electors of the entire State or any
2 division or district greater than a county shall be filed with the Secretary of
3 State at least thirty (30) days previous to the day of election for which the

5 candidates are nominated. All other certificates for the nomination of candidates
6 shall be filed with the County Clerk of the respective counties at least thirty (30)
7 days previous to the day of such election: *Provided, however, that no nominat-*
8 *ing papers or petition for nomination shall be filed and that the name of no person*
9 *for whom or in whose behalf a nominating petition has been prepared shall be*
10 *placed upon the official ballot to be voted at any election unless the said nomi-*
11 *nating papers or the said petition for nomination has been filed with the proper*
12 *officer or officers on or before the day of the primary held to nominate candi-*
13 *dates to be voted on at such election or on or before the day of the holding of any*
14 *convention of delegates or of any caucus at which candidates to be voted on at*
15 *such election are nominated. Provided, that certificates of nomination and nomi-*
16 *nation papers for the nomination of candidates for the offices in cities, villages*
17 *and incorporated towns, and for town offices in counties under township or-*
18 *gani shall be filed with the clerks of the towns, cities, villages and incorporated*
19 *towns at least fifteen (15) days previous to the day of such election: Provided,*
20 *that in cities having a population of 500,000 or more that certificates of nomina-*
21 *tion and nomination papers for the nomination of candidates for the offices in*
22 *such cities shall be filed with the city clerk of such cities at least twenty-five days*
23 *previous to the day of such election.*



- 1 Introduced by Mr. Church, April 28, 1921.
- 2 Read by title, ordered printed, and referred to Committee on Judiciary.

A BILL

For an Act to add Section 167b to Division I of "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 167b is added to Division I of
3 "An Act to revise the law in relation to criminal jurisprudence," approved
4 March 27, 1874, in force July 1, 1874, as amended, the added section to read as
5 follows:

Sec. 167b. *Whoever feloniously takes or steals any automobile, motor truck,*
2 *motor bicycle or other motor vehicle, or buys, receives or conceals any automo-*
3 *bile, motor truck, motor bicycle or other motor vehicle, knowing the same to have*
4 *been stolen, with the intent thereby to defraud the owner, or any insurance com-*
5 *pany or other person, is guilty of a felony and shall be imprisoned in the peni-*
6 *tentiary for not less than two years nor more than twenty years.*



- 1 Introduced by Mr. Church, April 28, 1921.
- 2 Read by title, ordered printed, and referred to Committee on Judiciary.

A BILL

For an Act to repeal Section 39 of the "Motor Vehicle Law," approved June 30, 1919, in force January 1, 1920.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 39 of the "Motor Vehicle Law,"
3 approved June 30, 1919, in force January 1, 1920, is repealed.



1 Introduced by Mr. Castle, April 28, 1921.

2 Read by title, ordered printed, and referred to Committee on Judicial Department and Practice.

A BILL

For an Act to amend Section 17 of "An Act in regard to wills," approved March 20, 1872, in force July 1, 1872, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 17 of "An Act in regard to
3 wills," approved March 20, 1872, in force July 1, 1872, as amended, is amended
4 to read as follows:

Sec. 17. No will, testament or codicil shall be revoked, otherwise than by
2 burning, canceling, tearing or obliterating the same, by the testator himself, or
3 in his presence, by his direction and consent, or by some other will, testament or
4 codicil in writing, *or other writing* declaring the same, signed by the testator or
5 testatrix in the presence of two or more witnesses, and by them attested in his or
6 her presence; and no words spoken shall revoke or annul any will, testament or
7 codicil in writing, executed as aforesaid, in due form of law.



1 Adopted May 26, 1921.

AMENDMENT NO. 1.

Amend printed House Bill No. 728, in Section 17, line three, by striking
2 out the words "some other" and substituting in lieu thereof the words "a
3 subsequent"

AMENDMENT NO. 2.

Amend printed House Bill No. 728, in Section 17, line four, by striking
2 out the words "or other writing declaring the same."



- 1 Introduced by Mr. Thon, April 28, 1921.
- 2 Read by title, ordered printed, and referred to Committee on Judicial Department and Practice.

A BILL

For an Act to amend Section 42 of an Act entitled, "An Act in regard to the administration of estates," approved April 1, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That Section 42 of "An Act in regard to
3 the administration of estates," approved April 1, 1872, in force July 1, 1872, be
4 and the same is hereby amended so as to read as follows:

Sec. 42. When any person has proved or may prove the last will and testa-
2 ment of any deceased person, and taken on him the execution of said will, or has
3 obtained or may obtain administration of the estate of an intestate in any state
4 in the United States, or in any territory thereof, such person shall be enabled to
5 prosecute suits to enforce claims of the estate of the deceased, or to sell lands to
6 pay debts, in any court in this State, in the same manner as if letters testament-
7 ary or of administration had been granted to him under the provisions of the
8 laws of this State: *Provided*, that such person shall produce a copy of the

9 letters testamentary or of administration, authenticated in the manner pre-
10 scribed by the laws of Congress of the United States for authenticating the
11 records of judicial acts in any one state, in order to give them validity in other
12 states; *and provided*, that said executor or administrator shall give a bond for
13 costs, as in case of other non-residents: *And provided, further, that any*
14 *executor or administrator duly appointed in another state or other foreign juris-*
15 *diction and duly qualified and acting, who may be entitled to personal property*
16 *situated in the State of Illinois, may file an authenticated copy of his appoint-*
17 *ment in the County Court or Probate Court in counties in which there is such*
18 *court, of any county in which there is any such personal property and may, upon*
19 *petition to said court after ten days' notice in writing to the Public Adminis-*
20 *trator of such county, and to the State Treasurer, and to the Inheritance Tax*
21 *representative of the Attorney General, and notice to creditors and all persons*
22 *interested published for three successive weeks in some public newspaper pub-*
23 *lished in the county, or if no newspaper is published in the county, then in the*
24 *nearest newspaper in this State, be licensed to receive or sell such personal*
25 *property if the court finds there is no executor or administrator appointed in*
26 *this State who is authorized to receive or dispose of such estate, and that such*
27 *foreign executor or administrator will be liable from and after such receipt to*
28 *account for such estate in the State or other foreign jurisdiction in which he was*
29 *appointed and that the Public Administrator of the County where such petition is*
30 *filed makes no objection to the granting of such license and no person appears to*
31 *be prejudiced thereby; but no such license shall be granted to any foreign*
32 *executor or administrator until the expiration of six months after the death of*
33 *his testator or intestate.*



- 1 Introduced by Committee on Efficiency and Economy, April 28, 1921.
- 2 Read at large a first time, ordered printed and to a second reading.

A BILL

For an Act to provide for uniform systems of bookkeeping and accounts by county officers in counties of less than 500,000 population and by municipal officers in cities, towns and villages of less than 250,000 population and to provide for the inspection and auditing of these accounts.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* The Auditor of Public Accounts is
3 directed to formulate and prescribe uniform systems of bookkeeping and accounts
4 which shall be installed in all county offices in counties of less than 500,000 popu-
5 lation and in all municipal offices in cities, incorporated towns and villages of
6 less than 250,000 population. The systems of accounts shall provide for the
7 classification and definition of accounts, showing all sources of income, the
8 amounts received and collectable from each source, the amounts expended for
9 each purpose or transmitted or paid over, and outstanding debts, incumbrances
10 or obligations, and for all receipts, vouchers and other documents which may be
11 necessary to prove the validity of every transaction.

Sec. 2. It is the duty of the county and municipal officers coming within the provisions of this Act to keep all accounts in their offices in accordance with the system approved and prescribed by the Auditor of Public Accounts.

Sec. 3. It is the duty of the Auditor of Public Accounts by authorized examiners and accountants, to audit the books, records, accounts and financial affairs of every county and municipal office coming within the provisions of this Act. Such audits shall be made annually for the preceding fiscal year and as near as may be after the expiration of the fiscal year. Inquiry shall be made into the methods and accuracy of the accounts and reports, and the financial condition of the office.

Sec. 4. The provisions of Section 3 do not apply, however, to any county in which a county auditor is elected and holds office. But in each such county, it is the duty of the county auditor to prepare an abstract or summary of his examination of the county offices in his county and to file a copy of such abstract with the Auditor of Public Accounts. The abstract or summary shall be in a form to be prescribed by the Auditor of Public Accounts.

Sec. 5. A full report of each examination made by the Auditor of Public Accounts or his authorized examiners and accountants shall be filed in the office of the auditor. He shall assemble these reports together with the summaries or abstracts filed with him by county auditors and shall include in his biennial report, a condensed report of such examinations.

Sec. 6. In all counties in which the Auditor of Public Accounts is required by this Act to audit the accounts of the county offices, a full report of the inspection and examination of each of the county offices examined, shall be filed by the Auditor of Public Accounts with the county board.

A full report of each inspection and examination of municipal offices shall be filed by the Auditor of Public Accounts with the local authority charged with the duty of approving the bond of the particular office.

Sec. 7. Any county or municipal officer, deputy or employe subject to the provisions of this Act, who fails or refuses to keep his books, records and accounts in the forms prescribed by the Auditor of Public Accounts or who refuses to permit the Auditor of Public Accounts to audit the books, records and accounts of his office, is guilty of a misdemeanor and shall be punished by a fine not exceeding five hundred dollars or imprisonment not exceeding six months or by both such fine and imprisonment.

- 1 Introduced by Committee on Efficiency and Economy, April 28, 1921.
- 2 Read at large a first time, ordered printed and to a second reading.

A BILL

For an Act in relation to accounts and reports of public officers, other than State officers.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly.* Every officer other than a State officer
3 who in any manner collects, receives, disburses, or accounts for any money or
4 property for or on behalf of the State or any municipal corporation, political
5 subdivision, or other arm or agency created for governmental purposes, shall
4 within sixty days after the expiration of the fiscal year of said municipal cor-
5 poration, political subdivision, or other unit of local government, prepare a finan-
6 cial statement or summary in the form prescribed by the Director of Finance of
7 the State of Illinois, of all moneys collected, received, and disbursed during the
8 preceding fiscal year, and of assets and liabilities at the close of said year. If
9 any such division or unit of local government does not have a fiscal year, then
10 the statement herein required shall be prepared within sixty days after the
11 expiration of the calendar year.

Sec. 2. Such statement shall be subscribed and sworn to by the public officer making it and shall be filed within sixty days after the expiration of the period which it covers with the Director of Finance and a correct copy thereof shall be published by the public officer making it in a newspaper printed in the English language in the county in which the subdivision or unit of government is located within sixty days after the expiration of the period covered by the report. The expense of such publishing shall be paid by the subdivision or unit of local government on account of which the report is made. A correct copy of every such statement shall also be filed by the public officer making it with the clerk or officer of record of the respective political subdivision or unit of local government, and it shall be the duty of the clerk or other officer of record to present such report at the next regular meeting of the board or council of said political subdivision or unit of local government, and the report shall be made a part of the permanent records of that board or council.

Sec. 3. The Director of Finance shall compile all such reports in comparative tabular form, and publish them annually as a public document.

Sec. 4. It shall be the duty of the Director of Finance in case any public officer fails to make any report as required by this Act to examine the books and accounts of said officer and prepare such report, which shall be published in the manner hereinbefore provided.

Sec. 5. The Director of Finance shall have power to call together from time to time the public officers enumerated in this Act with a view to the formulation and installation of uniform systems of accounting in said counties, municipalities, and political subdivisions.

Sec. 6. The board or council of any subdivision or unit of local government may petition the Director of Finance to audit the accounts of any officer or officers of the respective subdivision or unit of local government. Upon receiving such a petition it shall be the duty of the Director of Finance forthwith to cause such audit or audits to be made.

Sec. 7. Any bondsman of a public officer subject to the provisions of this
2 Act may petition the Director of Finance to audit the accounts of said officer
3 and if upon investigation the Director of Finance deems such an audit to be in
4 the public interest, he shall comply with the petition.

Sec. 8. Any taxpayer or group of taxpayers representing ten per centum
2 of the assessed valuation of any of the respective units of local government indi-
3 cated in Section 1 may petition the Director of Finance to audit the accounts of
4 any officer or officers of said local government or governments, respectively, and
5 if upon investigation the Director of Finance deems such an audit or audits to be
6 in the public interest, he shall comply with the petition.

Sec. 9. The expense of any audit or audits made by the Director of Finance,
2 including any special examination as provided in Section 4, shall be paid by the
3 respective unit or units of local government in whose interest it is incurred, and
4 in the apportionment of charges among two or more such units the decision of
5 the Director of Finance shall be final.

Sec. 10. The report of every unit made by the Director of Finance shall be
2 filed by him with the clerk or other officer of record of the respective unit or units
3 of local government in which the audit has been made.

Sec. 11. Any public officer subject to the provisions of this Act failing,
2 neglecting, or refusing to discharge any duty imposed upon him by this Act is
3 guilty of a misdemeanor, and shall be fined in any sum not less than fifty dol-
4 lars, nor more than five hundred dollars, or imprisoned not longer than one
5 year, or be punished by both such fine and imprisonment.

Sec. 12. The provisions of this Act apply to and include all public officers as
2 defined in Section 1 notwithstanding the provisions in any prior Act, and it is
3 the purpose of this Act to apply uniformly and generally to all public officers
4 other than State officers who in any manner collect, receive, or disburse, or
5 account for public money or property.

Sec. 13. "An Act requiring custodians of public moneys to file and publish
2 statements of the receipts and disbursements thereof, and to repeal an Act
3 entitled, 'An Act to require officers having in their custody public funds to
4 prepare and publish an annual statement of the receipt and disbursements of
5 such funds,' approved May 30, 1881, in force July 1, 1881, and amendments
6 thereto," approved June 24, 1919, in force July 1, 1919, is repealed.

1 Introduced by Mr. Boyd May 3, 1921.

2 Read by title, ordered printed and referred to Committee on Roads and Bridges.

A BILL

For an Act to provide for the construction of hard-surfaced roads connecting all county seats to the State of Illinois state-wide system of hard-surfaced roads.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* In all cases in which a county seat in this state is not on one of the
3 routes of the State-wide system of hard-surfaced roads provided for by "An Act in re-
4 lation to the construction by the State of Illinois of a State-wide system of durable
5 hard-surfaced roads upon public highways of the state and the provision of means for
6 the payment of the cost thereof by an issue of bonds of the State of Illinois," approved
7 June 22, 1917, in force July 1, 1917, the Department of Public Works and Buildings
8 shall cause such county seat to be connected to the State-wide system of hard-surfaced
9 roads by a similarly constructed road, along the most convenient and feasible route.

1 Introduced by Mr. Holten May 3, 1921.

2 Read by title, ordered printed and referred to Committee on Elections.

A BILL

For an Act to amend Section 1 of "An Act to provide for the holding of primary elections by political parties," approved March 9, 1910, in force July 1, 1910, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* Section 1 of "An Act to provide for the holding of primary elec-
3 tions by political parties," approved March 9, 1910, in force July 1, 1910, as amended,
4 is amended to read as follows:

Sec. 1. The nomination of all candidates for all elective State, congressional,
2 county, city and village (including officers of the municipal court of Chicago), town
3 and judicial officers, clerks of the appellate courts, trustees of sanitary districts, and
4 for the election of precinct, ward and State central committeemen, and delegates and
5 alternate delegates to National nominating conventions, by all political parties, as de-
6 fined by Section 2 of this Act, shall be made in the manner provided in this Act, and not
7 otherwise: *Provided*, this Act shall not apply to the nomination of candidates for elec-
8 tors of President and Vice President of the United States, and trustees of the Uni-
9 versity of Illinois. *And, provided, further*, that this Act shall not apply to school elec-
10 tions and township elections.

- 1 Introduced by Mr. E. A. W. Johnson, May 3, 1921.
2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For An Act to amend Section 33 of "An Act concerning fees and salaries, and to classify the several counties of this State with reference thereto," approved March 29, 1872, in force July 1, 1872, as amended."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in*
2 *the General Assembly:* That Section 33 of an act entitled, "An Act concerning fees and
3 salaries, and to classify the several counties of this State with reference thereto," ap-
4 proved March 29, 1872, in force July 1, 1872, as amended, is amended to read as
5 follows:

Sec. 33. At the time of the commencement of every suit at law or in equity in
2 any court of record in counties having a population exceeding five hundred thousand
3 (500,000) inhabitants, in this State, except as provided in Section 34 of this Act, the
4 party or parties commencing such suit, or in case of an appeal from an inferior court,
5 the party or parties, appellant or appellants, or in case of an application for judgment
6 upon any special assessment or special tax levied by any incorporated town or city,
7 such town or city shall pay to the clerk of the court the sum of fifteen dollars (\$15.00),
8 to be taxed as costs in the suit, which said sum shall be in full payment for all ser-

9 vices of such clerk on behalf of the plaintiff or plaintiffs, complainant or complaints,
10 petitioner or petitioners, appellant or appellants, in the progress of such suit, from the
11 commencement to the final termination thereof, except the making of copies of papers
12 or orders, a complete record, or a record for a higher court: *Provided, however,* that
13 in case of a proceeding for the exercise of the right of eminent domain the petitioner
14 or petitioners shall pay to the clerk of the court in which such petition is filed the sum
15 of twenty dollars (\$20.00) and except in case where municipal corporations are peti-
16 tioners and additional sum of ten dollars (\$10.00) for each and every lot or tract of
17 land or right of interest therein, the damages in respect to which shall require a sep-
18 arate assessment by the jury, which sum shall be in full payment for all services to
19 be performed by such clerk in the progress of such proceeding from its commence-
20 ment to its final determination.

21 *Provided, further, however,* that in all cases of appeal from a justice of the peace,
22 where the appellant shall file in the office of the justice of the peace, in such counties,
23 his bond required by Section sixty-two (62) of an Act entitled, "An Act to provide
24 for the election and qualification of justices of the peace and constables and to provide
25 for the jurisdiction and practice of justices of the peace in civil cases and fix the
26 duties of constables, and to repeal certain Acts therein named," approved April 1st,
27 1872; he shall also, at the same time, pay ten dollars (\$10.00), to the justice for the
28 use of the clerk of the court to which the appeal is taken, and upon failure to do
29 so, it shall be the duty of the justice not to allow the appeal. And in case any appli-
30 cation for judgment for city, state, town or other general taxes there shall be paid to
31 the clerk by the corporation so applying for judgment, the sum of three cents for
32 each and every tract of land upon which judgment shall be rendered by the court,
33 which said sum shall be in full payment for all services to be performed by such clerk
34 in the progress of such suit upon such application from its commencement to the final
35 determination thereof. And the defendant or defendants, respondent or respondents,
36 appellee or appellees, before he, she or they shall be entitled to enter his, her or their
37 appearance or file any pleas, answer or demurrer in any suit at law or equity shall pay

38 to the clerk of the court the sum of *five* dollars (\$5.00) to be taxed as costs in the
39 suit, which in like manner, shall be in full payment of and for all services rendered, or
40 to be rendered by the clerk, for or on behalf of the defendant or defendants, respondent
41 or respondents, appellee or appellees, in or during the progress of such suit to the
42 final termination thereof, except for the making of copies of papers or records, a
43 complete record, or a record for a higher court.

44 Clerks of courts of record in this State in Counties having a population exceeding
45 five hundred thousand inhabitants in this State, shall be allowed further fees as follows :
46 For filing transcript of judgment from the Clerk of the Municipal Court or from a
47 Justice of the Peace three dollars (\$3.00), for taking and certifying the acknowledgment
48 of a deed or other writing, twenty-five cents; for swearing any person to an
49 affidavit not to be used in a case in the court of which he is clerk, with certificate and
50 seal, twenty-five cents; for each certificate and seal, not in a case in the court whereof
51 he is clerk, twenty-five cents; for making and certifying a copy of any paper or record
52 in any case or proceeding, and for taking depositions, for every one hundred words,
53 ten cents, *Minimum Fee Two Dollars* (\$2.00), and for making and certifying
54 copy of Declaration of Intention to become a citizen or Final Certificate of Naturalization
55 under seal of court one Dollar (\$1.00); for filing each deed of voluntary
56 assignment, ten dollars (\$10.00); for recording the same, ten cents for each one hundred
57 words. Exceptions filed to claims presented to an assignee of a debtor who has
58 made a voluntary assignment for the benefit of creditors, shall be considered and
59 treated for the purpose of taxing costs therein, as actions at law, in which the party
60 or parties filing such exceptions shall be considered as party or parties plaintiff, and
61 the claimant or claimants as party or parties defendant and such parties, respectively,
62 shall pay to the clerk of the court the same fees as provided by this section to be
63 paid in other actions at law.

- 1 Introduced by Mr. Lyman, May 3, 1921.
2 Read by title, ordered printed and referred to Committee on Appropriations.
-

A BILL

For "An Act appropriating \$500 for the relief of Hugh Cain of Champaign, Illinois, and providing for the payment of said amount out of the State Treasury.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in*
2 *the General Assembly:* That there be and hereby is appropriated the sum of \$500 for
3 the relief of Hugh Cain of Champaign, Illinois, who was seriously injured while
4 employed at the University of Illinois, in Urbana.

Sec. 2. The Auditor of Public Accounts is hereby authorized to draw his war-
2 rant on the State Treasurer for said amount in favor of the said Hugh Cain, pay-
3 able out of any money in the Treasury not otherwise appropriated and the State
4 Treasurer is hereby authorized to pay such warrant out of any money in the Treasury
5 not otherwise appropriated.



- 1 Introduced by Mr. McCaskrin, May 3, 1921.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For An Act making an appropriation for the purpose of creating and establishing a State Park in Rock Island County, on a tract of land including places prominent in the history of Chief Black Hawk and the Black Hawk War.

WHEREAS, There is a tract of land in Rock Island County which includes what
2 was once the site of Sauk and Fox Indian villages, in the days of the Pioneers of
3 Illinois; and

4 WHEREAS, The famous Indian Chief, Black Hawk, who was cruelly treated by the
5 white people and became very vindictive toward them, was born on this tract of land,
6 and his family was buried there, the Black Hawk War originated there, and other events
7 in the history of Black Hawk occurred there; and

8 WHEREAS, There are numerous other points of historic interest on this tract of land,
9 and within view therefrom; wherefore, it is eminently proper that this historical locality
10 be opened and preserved for the benefit and enjoyment of all the people of the State;
11 therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* The Department of Public Works and Buildings is authorized and

3 empowered to obtain title, at a price not to exceed five hundred thousand dollars
4 (\$500,000), to the following described property, to be used as a State park:

5 Beginning at a point on the one-half section line 217 feet north of the center of
6 Section 14, Township 17 north, Range 2, West of the 4th P.M.; thence north on the
7 one-half section line 2093 feet, more or less, to a point 330 feet south of the northwest
8 corner of the northeast quarter of the said Section 14; thence east 2640 feet, more or
9 less, to the east line of said Section 14; thence south 330 feet; thence east 2640 feet,
10 more or less, to the one-half section line running north and south through Section 13,
11 Township 17 North, Range 2, West of the 4th P.M.; thence south on the one-half
12 section line 2460 feet, more or less, to Rock River; thence southwesterly along Rock
13 River 6030 feet, more or less, to the east line of 9th street, of the city of Rock Island;
14 thence northwesterly along the east line of 9th street 660 feet, more or less, to the inter-
15 section of the continuation of the east line of 13th street, projected south; thence north
16 1080 feet, more or less, to the north line of the right-of-way of the Tri-City Railway
17 Company; thence southeasterly along the north line of said right-of-way 1080 feet,
18 more or less, to the place of beginning; situated in Rock Island County, in the State of
19 Illinois; containing 330 acres, more or less.

Sec. 2. The conveyance of such title, after the same has been passed upon and
2 approved, shall be taken in the name of the People of the State of Illinois, and the
3 abstract of title, deeds, and other evidence of title shall be deposited in the office of
4 the Secretary of State.

Sec. 3. In case the Department of Public Works and Buildings cannot acquire
2 title to the land necessary for such public park at a reasonable price in the opinion of
3 said Department, then the said department is hereby vested with power, in the name of
4 the People of the State of Illinois, to obtain title to such land or any part or parcel
5 thereof, by condemnation under the eminent domain laws of this State: *Provided*,
6 that all negotiations and legal proceedings provided for under this Act shall be under the
7 direct supervision of the Attorney General of this State.

Sec. 4. In carrying out the provisions of this Act, the said Department of Public
2 Works and Buildings shall in all things and in all of its transactions be governed by
3 Sections 2, 3, 7, 8, 8½ and 9 of "An Act in relation to the acquisition, control, main-
4 tenance and protection of State Parks, and making an appropriation to carry into effect
5 the provisions of this Act," approved June 10, 1911, in force July 1, 1911, and all Acts
6 amendatory thereto.

Sec. 5. The sum of five hundred thousand dollars (\$500,000) is appropriated to
2 the Department of Public Works and Buildings, to carry out the purposes of this Act.

Sec. 6. This appropriation is subject to the provisions of "An Act in relation to
2 State finance," approved June 10, 1919, in force July 1, 1919.

- 1 Introduced by Mr. Sawyer, May 3, 1921.
- 2 Read by title, ordered printed and referred to Committee on Farm Drainage.

A BILL

For an Act to amend Section 13 of an Act entitled, "An Act to provide for the construction, reparation, and protection of drains, ditches and levees, across the lands of others for agricultural, sanitary, and mining purposes and to provide for the organization of drainage districts," (Approved and in force May 29, 1879, as amended.)

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the*
2 *General Assembly:* That Section 13 of an act entitled "An Act to provide for the con-
3 struction, reparation, and protection of drains, ditches and levees, across the lands of
4 others, for agricultural, sanitary and mining purposes, and to provide for the organiza-
5 tion of drainage districts" approved and in force May 29, 1879, as amended, be and
6 the same is hereby amended to read as follows:

Sec. 2. After the appointment of the commissioners as provided for in section
2 nine (9) of this Act, the cause shall be continued by the court to a day for the filing

3 of their report, and in the event said commissioners are not ready to report on the day
 4 fixed, they may appear before the court and obtain a continuance or continuances until
 5 said report is ready to be filed, but such continuance or continuances shall in such in-
 6 stance be to a day certain, and all persons interested shall take notice of any such con-
 7 tinuance or continuances: *Provided, that in case the commissioners are not ready to*
 8 *file their report on the day fixed by the court or any subsequent day to which the cause*
 9 *may be continued by the court for filing their said report and omit or fail to appear before*
 10 *the court on the day fixed by the court or any subsequent day to which the cause may be*
 11 *continued for filing of said report as aforesaid, and obtain continuances until said report*
 12 *is ready to be filed and no order continuing said cause for filing of said report is entered*
 13 *by said court, then and in that case the commissioners may proceed with preparation of*
 14 *their report and when said report is ready to be filed, may file the same in the office of*
 15 *the Clerk of the court accompanied by petition signed by commissioners stating that on*
 16 *the last day certain fixed by the court for filing of said report they were not ready to*
 17 *file the same and omitted or failed to appear before the court to obtain a continuance to*
 18 *another day certain and praying that the court assume jurisdiction over their said report*
 19 *and all proceedings in the matter from the time of the filing of said original petition to*
 20 *organize said district and praying further that the court fix a day certain for hearing on*
 21 *said commissioners' report and direct the Clerk of the court to give notice of such day*
 22 *and such Clerk shall thereupon cause three (3) weeks' notice of the presentation and*
 23 *filing of said report accompanied by said petition, to be given addressed to "All persons*
 24 *interested," by posting notices thereof at the door of the court house of the county or*
 25 *counties in which the district is situated, and in at least ten (10) of the most public places*
 26 *in such district, and also by publishing a copy thereof at least once a week for three (3)*
 27 *successive weeks in some newspaper published in the county from which the larger part*
 28 *of said district is to be formed. Such notice shall state when and where said report,*
 29 *accompanied by said petition; was filed, the title of the court; the names of the com-*
 30 *missioners who signed said report and petition; the name of the district mentioned in*
 31 *the original petition to organize the district and the day fixed by the court for hearing on*
 32 *said report. Upon the filing of said report accompanied by said petition, the court shall*

33 enter an order fixing a day certain for hearing on said report and for the giving of notice
 34 thereof as above provided and the court shall thereupon have and obtain jurisdiction to
 35 proceed with, hear, and determine all matters pertaining thereto and it shall thereupon be
 36 the duty of said court to assume such jurisdiction and to thereafter proceed in the mat-
 37 ter of said drainage district in all respects in the same manner as if said report had been
 38 filed and hearing on the same had been had on a day certain or continuance thereof fixed
 39 by order of court. When the commissioners file their report with the Clerk of the court
 40 appointing such commissioners on the day originally fixed by the court, or continuance
 41 thereof, no notice of the filing of said report shall be necessary and the court shall fix
 42 a day not less than ten days nor more than four weeks from the filing thereof for the
 43 hearing thereof: *Provided*, that in case the commissioners shall recommend that addi-
 44 tional lands be embraced within the proposed district, the owner or owners of such lands
 45 shall be given notice by the commissioners in the manner and for the time provided by
 46 Section 3 of the Act to which this act is an amendment, of the hearing on said report.
 47 At the time of the hearing all persons may appear and contest the confirmation of said
 48 report or show that additional drains, ditches, or other work should be constructed, or
 49 that the report ought to be modified in any particular, and may offer any competent
 50 evidence in support thereof; and the said report of said commissioners shall be *prima*
 51 *facie* evidence of the facts therein set forth.

Sec. 3. All of the provisions of this amendatory Act shall apply in every particu-
 2 lar to all drainage proceedings heretofore had in court in pursuance of the provisions of
 3 the Act to which this Act is an amendment, the same as though this amendatory act
 4 had been, at the time such proceedings were had, in full force and effect.



1 Introduced by Mr. Watson, May 3, 1921.

2 Read by title, ordered printed and referred to Committee on Efficiency and Economy.

A BILL

For an Act concerning Metal Mines and Subjects Relative Thereto and providing for the health and safety of persons employed therein.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in*

2 *the General Assembly:* That this act shall apply to all mines in the State of Illinois pro-
3 ducing minerals within the meaning of that term, as hereinafter defined, and employing
4 an average of ten or more men.

5 b. This act may be cited as the mines-inspection act.

6 c. For the purpose of this act the singular numbers when in reference to persons,
7 acts, objects and things of whatsoever kind and description shall, whenever the context
8 will permit, be taken and held to import and include the plural number and the plural
9 number shall similarly be taken and held to import and include the singular.

10 d. The term "mine," when used in this act, shall include prospects, openings and
11 open-cuts and workings employing an average of ten men or more, and shall embrace
12 any and all parts of the property of much "mine" and mining plant, on the surface or

13 underground, that contribute directly or indirectly to the mining and handling of min-
14 erals.

15 Provided, that when a group of workings in proximity to one another and under
16 one management are administered as distinct units each working shall be considered a
17 separate mine.

18 e. The term "mineral" when used in this act shall mean whatever is recognized by
19 the standard authorities as mineral, whether metalliferous or non-metalliferous, but shall
20 not be held to embrace or include coal, lignite, gas, oil or any substance extracted in so-
21 lution or in the molten state through bore holes.

22 f. The term "operator" when used in this act shall mean the person, firm, or body
23 corporate, in immediate possession of any mine and its accessories as owner or lessee
24 thereof, and as such responsible for the condition and management thereof.

25 g. The term "superintendent" when used in this act shall mean the person having
26 the immediate supervision of the mine.

27 h. The term "mine foreman" when used in this act shall mean the person who at
28 any one time is charged with the general direction of the underground work.

29 i. The term "inspector" when used in this act shall signify the official State In-
30 spector.

31 j. The words "excavation" and "workings" when used in this act shall signify
32 any and all parts of a mine excavated or being excavated, including shafts, raises, tun-
33 nels, adits, open cuts and all working places, whether abandoned or in use.

34 k. Whenever the expression "number of men" or "average number of men" em-
35 ployed in a mine are used in this act as defining or constituting classes of mines to which
36 this act, or any specific section, clauses, provision or rule thereof, does or does not apply,
37 such expressions shall be construed to mean the average number of men employed dur-
38 ing the previous year as shown by the returns to the mine inspector or by the books or
39 pay roll of the mine, or by all of such means and such average number shall be deter-
40 mined by dividing the total number of man shifts by the number of days the mine worked
41 during such period.

41½ 1. The term "explosive" or "explosives" as used in this act shall be held to mean
 42 and to include any chemical compound or any mechanical mixture that contains any
 43 oxidizing and combustible units or other ingredients in such proportions, quantities, or
 44 packing that an ignition by fire, by friction, by concussion, by percussion or by detona-
 45 tion of any part of the compound or mixture may cause such a sudden generation of
 46 highly heated gases that the resultant gaseous pressures are capable of producing destruc-
 47 tive effect on contiguous objects or of destroying life and limb.

48 m. The term "person" when used in this act shall be held to mean and include a
 49 firm or body corporate as well as natural persons.

50 n. The term "underground" as used in this act shall be held to mean "within the
 51 limits of" any mine working or excavation and shall not exclude such workings or ex-
 52 cavations as may not be covered over by rock or earth.

53 o. The term "employees" and "men employed" shall be held to mean all men re-
 54 ceiving compensation from the operator, directly or indirectly, for labor or services per-
 55 formed in connection with the mine and shall include contractors, lessors, lessees, trib-
 56 utes, or anyone similarly employed.

SEC. 2. The office of the inspector of mines for the State of Illinois is hereby
 2 created. The Governor by and with the consent of the Senate shall appoint such in-
 3 spector of mines. The inspector of mines shall be at least 30 years of age, a citizen of
 4 the United States, a resident of this State for at least one year previous to his appoint-
 5 ment, and shall have been practically engaged in metalliferous or mineral mining, and
 6 shall have had at least 10 years' experience in underground mining. Provided, that a
 7 certificate of graduation of an accredited school of mines shall count as two years' ex-
 8 perience in underground mining in determining his qualifications for said office. The
 9 inspector of mines shall have been for at least five years in charge as superintendent
 10 or foreman of a mine or mines, employing fifty or more men underground to be qualified
 11 for such office. He shall receive as compensation for his services, the sum of \$3600.00
 12 per annum, together with his necessary traveling expenses, to be paid in quarterly in-

13 stallments by the State Treasurer out of any money in the treasury not otherwise appro-
14 priated. He shall hold his office for a term of four years from the date of his appoint-
15 ment unless sooner removed by the Governor or until his successor is appointed and
16 qualified, and in case of a vacancy, the Governor by appointment shall fill the vacancy
17 for the remainder of any such term of four years.

SEC. 3. The office of Inspector of Mines as created by this act, shall be under
2 the jurisdiction of the State Department of Mines and Minerals to the same purport and
3 effect as all other mining operations provided for by law, unless otherwise provided.
4 The Inspector of Mines appointed hereunder, shall keep his office within and as a part
5 of the office of the Director of Mines and Minerals, and whose necessary employees
6 shall be employed and paid in the same manner as is provided for the employment and
7 pay of the necessary employees of the State Departments under the Civil Administra-
8 tive Code of Illinois, and as is provided in section 20 of An Act in relation to the civil
9 administration of the State government, and to repeal certain acts therein named, ap-
10 proved March 7, 1917. In force July 1, 1917.

SEC. 4. No persons shall be qualified to hold the office of inspector while in
2 the employ, director, or officer of any mining or metallurgical concern or company, or
3 while directly or indirectly connected with any mining or metallurgical concern or com-
4 pany or co-partnership operating in this State, either as partner or in any other capacity,
5 or while engaged in private practice as a consulting engineer. The inspector shall de-
6 vote his entire time to the duties of his respective office, and when not engaged in metal
7 mines or other duties in connection therewith he may be assigned to any work under
8 the supervision of the director of mines and minerals, and it shall be unlawful for the
9 inspector to be otherwise employed by the State of Illinois or to act directly or indirectly
10 for or on behalf of any candidate for public office or for any political party, or receive
11 compensation, either directly or indirectly from any candidate for public office or from
12 any political party in the state during the term of such inspector. Failure to observe the
13 provisions of this section shall render the inspector liable to immediate removal from of-

14 fice by the Governor without further cause shown and the Governor is hereby authorized
15 and empowered to make removals in such cases.

SEC. 5. The inspector of mines shall keep a record of all mines in the State,
2 a record of all mines examined, showing the dates of such examinations, the condition
3 in which the mines so examined, were found, with particular reference to the safety,
4 ventilation and sanitary condition of each mine so examined, the manner and method
5 of working, all violations of the provisions of this act found, if any, the action taken
6 thereon, and the result of such action, together with recommendations made in the cases
7 of each mine examined by the inspector and any other data or information pertaining to
8 his office and acquired during the carrying out of this act.

SEC. 6. It is hereby made the duty of the operator of each and every mine
2 within the State coming within the provisions of this act to forward to the Inspector
3 at his office, not later than the 30th day of March in each year, a detailed report in
4 writing, on a form prescribed by the inspector, showing the character of the mine, ton-
5 nage of product during the previous year ending December 31st, the average number
6 of men therein employed during the year, the number of days the mine was worked,
7 the number and nature of fatal and all other accidents during the year, and such other
8 information relative to the workings, equipment, ventilation, sanitation, means of in-
9 gress and egress, shafts, supports, safety devices, storage of explosives, and means taken
10 to protect lives and insure safety of men in relation to any of the requirements of this
11 act as the inspector may from time to time require. All such reports shall be filed in and
12 become part of the records of the office of the inspector of mines. Blank forms for
13 such reports shall be furnished by the State:

14 Provided, however that in the case of any mine being operated for less than one
15 year prior to December 31, in any year, the operator in such event shall forward a report
16 in like manner covering the period during which said mine was operated; and Provided,
17 further that in the event of the sale or lease of any mine during any year prior to De-
18 cember 31, then and in that event it shall be the duty of the owner or operator so sell-

19 ing, leasing or turning over such mine to a succeeding operator to supply to such suc-
20 ceeding operator a like report, as required in this section, covering the period of such
21 former operations within said year; and it shall then and in that event become the duty
22 of such succeeding operator to forward such report, so turned over, together with said
23 succeeding operator's operations, to the inspector of mines as aforesaid not later than
24 the 30th day of March in each year.

25 In all cases, occurring in or about any mine, of fires, appearance of dangerous gas,
26 breakage of ropes or other gear by which men are hoisted or lowered, over winding while
27 men are being hoisted, unexpected inrush of water from old workings, threatened
28 crushing of mine workings, or any other accident, occurrence, or change of conditions
29 tending to increase the hazards of mining, whether or not personal injury results, a re-
30 port thereof, signed by the operator or superintendent, shall immediately be sent in writ-
31 ing to the inspector.

32 A failure, neglect, or refusal to make such report or to give such information as is
33 specified in this section upon demand made in writing by the inspector shall constitute
34 a misdemeanor and every such operator or superintendent so failing, neglecting, or re-
35 fusing after written demand made as aforesaid shall be deemed guilty of a misdemeanor,
36 and on conviction shall be fined for each offense not less than \$50.00 or more than
37 \$200.00 and each separate failure, neglect, or refusal after demand, as aforesaid, shall
38 constitute a separate offense. Provided, however, that no other or different report to
39 any other department of State shall be required of any operator of or concerning the
40 matters herein required to be so reported.

SEC. 7. Every operator of any mine within the provisions of this act, shall with-
2 in 60 days after the passage of this act, file or cause to be filed in the office of the inspec-
3 tor of mines a designation, duly verified by such operator, appointing a person on whom
4 all notices or warning required to be served under the provisions of this act may be
5 served, and giving the office, place of employment, or place of business of such person,
6 which must be within the State and within 10 miles of the principal place of business of

7 the operator :

8 *Provided, however,* that the inspector of mines, upon formal application of an oper-
9 ator, is authorized to waive such 10 mile requirement when, in his judgment, the object
10 and purpose of this section may be best attained by permitting a person to be designated
11 whose office, place of employment, or place of business is more than 10 miles distant
12 from the principal place of business of the operator.

13 Such designation shall be accompanied by the written consent of the person so
14 designated, and shall continue in force until revoked by the death or removal of the per-
15 son so designated, or until revoked by an instrument in writing designating in like man-
16 ner some other person upon whom such notices may be served, or until the filing in
17 such office of a written revocation of said consent executed by the person so designated.
18 If the person so designated dies, or removes beyond 10 miles of the place of business of
19 such operator, or files a revocation of his consent, the operator shall within 30 days
20 thereafter designate in like manner some other person upon whom such notices may
21 be served within this State.

22 Services on such designated person of notices or warnings shall, in all cases aris-
23 ing under this act, be deemed service on the operator represented :

24 *Provided further;* that nothing herein contained shall be construed to prevent the
25 said operator in person, or by its officers or agents, if said operator be a corporation,
26 or any employee of such operator, from being so designated, and that the designation
27 of such person as herein contemplated shall not prevent the service of legal process on
28 the owner or operator of a mine, or on the proper officers and agents of a corporation
29 owning or operating a mine.

30 A failure on the part of any operator to carry out the provisions of this section
31 shall be deemed a violation of this act.

SEC. 8. The inspector or any person employed by such inspector or any per-
2 son having access to the papers filed in the office of said inspector, shall not make pub-
3 lic or reveal to any person or persons, either orally or in writing, all or any part of the

4 contents of any report, complaint, or document filed in the office of the inspector of mines
5 of this State, or reveal or make public to any person or persons any knowledge or in-
6 formation in regard to the safety or physical or financial condition of any mine, mining
7 rights, prospect, or mining company or concern obtained by the aforesaid inspector
8 while in the exercise of his official duties. Nothing herein contained, however, shall be
9 construed to prevent any inspector or any clerk or employee of such inspector, from
10 making official reports to the Governor or legislature of this State, to the inspector of
11 mines, or from giving evidence in any court of justice in this State in discharge of his
12 official duty, or from informing the operator or superintendent of a mine in regard to
13 his findings respecting his particular mine.

14 Any violation of any of the provisions of this section by an inspector of mines, or
15 any employee or clerk, shall constitute a misdemeanor and shall be punished upon con-
16 viction, by a fine of not less than \$1000.00 or more than \$2500.00 or by imprisonment
17 for not exceeding one year, or both; and any such officer or employee, so convicted shall
18 be dismissed from his office or employment.

SEC. 9. It shall be the duty of the inspector of mines, in person, to visit at
2 least once every three months, every mine in the State employing 30 or more men un-
3 derground, and every other mine at least twice every year and oftener if, in his opin-
4 ion, the safety of the men employed within the mine so requires; and to inspect and
5 examine into the operation, workings, timberings, safety appliances, machinery, sanita-
6 tion, ventilation, means of ingress and egress and means taken to protect the lives and
7 insure the safety of the miners, together with the cause of accidents and accidental
8 death therein; and, in general to inspect and ascertain what means are taken to com-
9 ply with the provisions of this act. For the purpose of making such inspection and as-
10 certaining the facts in connection with such examination, the inspector shall have full
11 power and authority at all hours to enter and examine any part of any mine or mining
12 plant within this State, or any part of the workings thereof, but so as not to unneces-
13 sarily impede or obstruct the workings of the mine. All operators and their employees

14 shall render to the inspector such assistance as may be necessary to enable the inspector
15 to make such examination.

16 For the purpose of ascertaining facts in connection with any inspection, inquiry,
17 or examination, the said inspector, shall have full power to compel the attendance of
18 witnesses by subpoena, to take depositions on the service of proper or usual notice to the
19 mine owner or operator as required in the taking of depositions, to administer oaths,
20 and to examine, cross-examine, and take such testimony as may be deemed necessary for
21 the information of the inspector.

22 The refusal by any person to obey a subpoena issued by the inspector, or the willful
23 hindrance or obstruction by any person, of the inspector, in the performance of any of
24 his duties under this act, shall constitute a misdemeanor and shall be punished as here-
25 inafter provided.

26 Any witness appearing before the inspector in response to a subpoena so issued,
27 who shall knowingly and willfully testify falsely to any material matter, shall be deemed
28 guilty of perjury and upon conviction as by law provided, shall be punished for perjury.

SEC. 10. Whenever the inspector shall find any mine or part of any mine in
2 an unsafe condition by reason of any violation of any of the rules or provisions of this
3 act, or in condition dangerous or detrimental to the life or health of those employed
4 therein for the same reason or by reason of defects in timbering or other means of sup-
5 port, in mining, in ventilation, or in sanitation, it shall be the duty of the inspector at
6 once to serve or cause to be served a notice in writing on the operator or superintendent
7 of such mine or on the person designated by such operator for service in accordance
8 with Section 7 of this act, and such notice shall set forth in detail the nature and extent
9 of the defects that render the mine or part of the mine unsafe, dangerous, or detri-
10 mental to the life or health of those employed therein, together with the point or place in
11 the mine or in the workings of the mine where such defects exist, and such notice shall
12 require such necessary changes to be made in such mine or part of the mine without de-
13 lay and within a specified time, in the discretion of the inspector, as shall make the same
14 conform to the provisions of this act.

15 If it appear from a re-examination of the mine by the inspector that such necessary
16 changes have not been made within the time specified in such notice, and that the mine
17 or part of the mine is still in a condition dangerous to life or health, and in the opinion
18 of the inspector it is necessary for the safety of the life or health of the employees in
19 such mine or part of the mine that the same be vacated, it shall be the duty of the inspec-
20 tor forthwith to institute an action for an injunction in any court of competent juris-
21 diction, in the name of the State, on the relation of the inspector, to restrain the opera-
22 tion and working of said mine or part of said mine, and the entrance of employees
23 therein for purposes other than to remedy the defects complained of until the provisions
24 of this act are complied with, and the said mine or part of said mine is made safe for
25 the employees therein; and the plaintiff in such action, without bond, and upon ex parte
26 affidavits made by the inspector showing in detail the nature and extent of the defects
27 that in such affiant's opinion, render the mine or part of the mine unsafe or detrimental
28 to the life or health of those employed therein, and stating that such mine, or part of the
29 mine, is, in the opinion of the affiant, in a condition dangerous to the life or health, may
30 pending the trial of said action, procure a temporary injunction from any circuit court or
31 judge thereof in vacation if in the opinion of said court or the judge, the facts warrant
32 the granting of such temporary injunction, enjoining the operation and working of said
33 mine, or part of said mine, and the entrance of employees therein, except for the purpose
34 of remedying the defects complained of, until the further order of the court.

35 Provided, however, that the defendants in such actions shall have the same oppor-
36 tunity to be heard upon motion to vacate such temporary injunctions as defendants
37 have in any actions brought in this State in which temporary injunctive relief may be
38 granted.

SEC. 11. If the operator of any mine within the State shall fail or refuse to
2 permit, or shall impede such inspection as is provided in sections 9 and 10 of this act,
3 the inspector may file his affidavit setting forth such refusal before any judge of the cir-
4 cuit court of the judicial circuit in which said mine is situated, or at the option of the in-

5 spector, in the county in which is situated the general office of the corporation owning
6 or operating the mine, either during the term of the court or during vacation, and obtain
7 an order directed to such operator so refusing as aforesaid, commanding him to permit
8 and furnish all necessary facilities for the entering, examination, or inspection of such
9 mine or to be adjudged to stand in contempt of court and be punished accordingly.

SEC. 12. It shall be the duty of the inspector, after every inspection of any
2 mine or parts of any mine, as provided in this act, to enter forthwith in a book to be
3 kept at the mine and designated as the "record of inspection" the parts of the mine so
4 inspected, the nature of such inspection, and every illegal defect observed in the state
5 and condition of the mine, machinery and appliances; but nothing contained in or
6 omitted from such entry shall limit or affect the duty and obligation of the owner or
7 operator of such mine under this act. Such "record of inspection" shall be open at all
8 reasonable times to the examination of the inspector or to the examination of any per-
9 son employed at the mine.

10 Provided, however, that such records shall not be in lieu of, or a substitute for,
11 the notice required to be served by section 10 of this act.

SEC. 13. Whenever the inspector receives a complaint in writing, signed by
2 3 or more persons employed in a mine, if less than 25 persons are employed therein,
3 or by 5 or more persons employed in a mine, if more than 25 and less than 100 persons
4 are employed therein, or by 10 or more persons employed in a mine, if more than 100
5 persons are employed therein, setting forth that the mine in which they are working is
6 being operated contrary to law and is in any respect dangerous to the health and
7 lives of those employed therein, the inspector shall in person examine such mine as soon
8 as possible. The names of the persons making such complaint shall be kept secret by the
9 inspector, unless permission to disclose them be expressly granted by the persons making
10 the complaint.

11 Provided, however, that such complaint, shall in all cases, set forth the alleged vio-
12 lation of law observed, the nature of the danger existing at the mine, and the time when

13 such violation or danger was first observed. If on inspection the inspector finds the con-
14 ditions, in his opinion, dangerous to the health and lives of those employed therein, by
15 reason of any violation of any of the provisions and rules of this act, he shall serve or
16 cause to be served, a notice setting forth fully the facts upon which his opinion is
17 based, as provided in section 10 of this act.

18 It shall be the duty of the inspector to forward every such original complaint so
19 received to the office of the inspector of mines, where it shall be indexed and filed among
20 the official papers of the inspector of mines.

SEC. 14. Whenever a serious accident occurs in or about any mine, notice
2 thereof shall be given promptly by telephone or telegraph, followed by a notice in writ-
3 ing, to the inspector by the superintendent or other person having immediate charge of
4 the work at the time of the accident. The words "serious accident" shall be construed
5 to mean, for the purposes of this act, accidents resulting in such injuries as, in the opin-
6 ion of an accredited physician, may result in the injured person being incapacitated
7 from work for at least 14 days. Upon receiving such notice the inspector shall, if
8 feasible and if the nature of the accident shows it to be necessary, proceed to the scene
9 of the accident with all convenient speed and investigate fully the cause of the accident,
10 and, within 20 days thereafter, shall file the result of such investigation as a report in
11 the office of the inspector. Whenever the inspector cannot proceed as above to the
12 scene of the accident, the person in charge of the mine shall be so informed by the in-
13 spector and such person in charge shall obtain sworn statements of those who witnessed
14 the accident, or if no one was present at the time of such accident he shall obtain the
15 sworn statement of those first arriving upon the scene. Such statements shall give, as
16 far as possible, the details of the accident, the facts leading up to it, and its probable
17 cause; such sworn statements shall immediately thereafter be sent to the inspector, who
18 shall file the same in his office as public records.

SEC. 15. Whenever loss of life occurs from accident in or about a mine, and
2 when death results from personal injury, the superintendent or other person having

3 immediate charge of the work at the time of the accident shall give notice to the in-
 4 spector promptly by telephone or telegraph, followed by a notice in writing, after knowl-
 5 edge of death comes. Whenever possible, the inspector shall be present at the coroner's
 6 inquest held over the remains of a person killed in or about a mine. Due notice of an
 7 intended inquest to be held by the coroner shall be given by the coroner to the inspector,
 8 and at such inquest the inspector shall have the right to examine and cross-examine wit-
 9 nesses, and such examination shall be part of the records of such inquest. If, at any
 10 inquest held over the body or bodies of persons whose death was caused by an accident in
 11 or about the mine, the inspector be not present, and it be found from the evidence given
 12 at the inquest that the accident was caused by neglect or by any defect in or about the
 13 mine, or because the mine was operated contrary to the provisions of this act, the cor-
 14 oner shall send notice in writing to said inspector of such reported neglect or default;
 15 and the said inspector shall immediately take steps to have an investigation made of the
 16 same. The coroner before whom such an inquest is held shall promptly file with the
 17 inspector of mines a copy of the testimony taken thereat and a copy of the verdict ren-
 18 dered by the coroner's jury.

SEC. 16. Whenever, in the opinion of the inspector of mines, a serious or
 2 fatal accident in or about any mine in this State shall have been caused by failure on
 3 the part of the operator or any employee of such mine, or by any other person, or by any
 4 of them, to observe the provisions of this act, it shall be the duty of the inspector to
 5 cause a copy of the report of such accident, or a copy of the testimony taken at the cor-
 6 oner's inquest, together with the verdict of the coroner's jury, and all papers in his
 7 hands relating thereto, to be forwarded to the prosecuting officer of the county in which
 8 the accident or loss of life occurred, together with a statement of the inspector showing
 9 in what particular or particulars he believes the law to have been violated, and if upon
 10 the receipt thereof the prosecuting officer of the said county deems the facts to make a
 11 prima facie cause of action against any party, he shall present such evidence to the grand
 12 jury and take such further steps for the criminal prosecution of such operators, em-
 13 ployees, or other person as may seem advisable.

SEC. 17. It shall be the duty of the inspector of mines within three months
2 after January 1, in each year to make a report directed to the Governor and legislature
3 of this State, giving a statistical summary and report of the work of the inspector of
4 mines during the previous year ended December 31. Such report shall contain a state-
5 ment showing the number of men employed in each mine in the State, stating separately
6 the number of men employed above ground and underground, the number and nature
7 of fatal and serious accidents occurring in each mine, the number of inspections made,
8 complaints filed, inquests attended, mines ordered to be vacated, violations found, and any
9 other information deemed important and relevant by the inspector of mines, together
10 with such recommendations as, in the judgment of the inspector of mines, are necessary
11 or desirable to the carrying out of this act and to insure the health and safety of the
12 workmen employed within the mines, subject to the provisions of this act. Copies of
13 such report shall be published and distributed by and at the expense of the State as a pub-
14 lic document.

SEC. 18. The operator of every mine shall appoint a man who shall be per-
2 sonally in charge of the mine and the performance of the work done therein, who shall
3 be designated as the "superintendent": Provided, however, that nothing herein con-
4 tained shall prevent the owner or operator of any mine from personally filling the office
5 of superintendent.

6 The superintendent of every mine shall inspect or cause some competent person
7 or persons appointed by him to inspect all mining appliances, boilers, engines, maga-
8 zines, shafts, shaft-houses, underground workings, roofs, pillars, timbers, explosives,
9 bell ropes, speaking tubes, telephones, tracks, ladders, dry closets, and all parts and appli-
10 ances of said mine in actual use, any such person or persons appointed by the said super-
11 intendent shall at once report any defects therein to the superintendent. It shall be
12 the duty of the superintendent upon ascertaining such defects to take immediate steps to
13 remedy the same so as to make the same comply with the provisions of this act, and he
14 shall forthwith notify the operator of said mine of the existence of such defects. It
15 shall be the duty of the superintendent to appoint a competent man to have full charge,

16 under the direction of the superintendent, of every magazine containing explosives sit-
17 uated on such mining property, and to make such other appointments and perform such
18 other duties as are provided by this act to be performed by such superintendent.

SEC. 19. The superintendent of every mine shall appoint a man who shall be per-
2 sonally in charge of the development of the underground workings of the mine and per-
3 sonally direct the work of the men employed underground therein, who shall be de-
4 signated as the "mine foreman": Provided, however, that nothing herein contained
5 shall be construed to prevent the superintendent of any mine from also filling the posi-
6 tion of the mine foreman. No person shall be appointed to the position of mine fore-
7 man who shall not be at least 21 years of age, and shall not have had at least two
8 years of practical experience as an underground miner in metalliferous or mineral mines
9 and shall not be able readily to read and write the English language. The failure of
10 a superintendent to make such appointment of mine foreman or the neglect or failure
11 of a superintendent to appoint another in his place, in the event of said mine foreman
12 vacating or losing his position from any cause, shall constitute a misdemeanor, and shall
13 be punished as hereinafter provided. Such appointment shall be made in writing, and
14 it shall be the duty of such superintendent to keep posted notice of such appointment or
15 re-appointment immediately after the same shall have been made, in at least two con-
16 spicuous places about said mine and notices of such appointment or any re-appointment
17 shall be mailed immediately thereafter to the inspector of mines.

18 The mine foreman shall attend personally to his duties in the mine as provided in
19 this act, and shall see that the regulations provided herein for insuring the safety of all
20 men employed in such mine are carried out; he shall immediately report to the superin-
21 tend of the mine any violations or infringements of this act observed by him within the
22 mine, and shall take immediate steps to remedy the same. He shall warn all employees
23 of danger to life or limb observed by him within the mine, and permit no person to
24 work in an unsafe place, unless for the purpose of making it safe or when work in such
25 a place is necessary and unavoidable; and shall supervise the miners in the performance
26 of their work.

27 It shall be the duty of the mine foreman to see that the number and identity of men
28 going underground on every shift is established and that all such men return to the sur-
29 face at the end of their shift.

SEC. 20. The operator of every mine shall appoint a qualified mining engineer
2 either in an operating or consulting capacity whose duties shall be to examine into all
3 mining operations within the limits of the mine and correct same whenever necessary
4 so as to conform to recognized safe mining practice.

5 Provided, however, that nothing herein contained shall prevent the owner or opera-
6 tor of any mine, or his appointed superintendent, from personally filling the office of min-
7 ing engineer.

8 The term "qualified mining engineer," when used in this act, shall mean a man with
9 at least ten years practical experience in metalliferous or mineral mining, five of which
10 shall have been in responsible charge of such operations.

11 Provided, that active membership in the American Institute of Mining and Metal-
12 lurgical Engineers shall count as six years of practical experience or three years in
13 charge of operations.

14 And, provided further, that a certificate of graduation from a recognized mining
15 college shall count as two years of practical experience.

SEC. 21. It shall be the duty of the operators, superintendents, or any one in charge
2 of any mine to keep at such place about the mine as may be designated by the inspector,
3 a stretcher, a woolen blanket, and a waterproof blanket in good condition for use in car-
4 rying any person who may be injured at the mine. When more than 100 persons are
5 employed two stretchers, two woolen blankets and two waterproof blankets shall be kept.
6 At all mines an adequate supply of materials shall be kept readily accessible for the treat-
7 ment of any one injured and shall include the following in suitable quantity: First-
8 aid outfits consisting of one extra long gauze bandage with compress sewed in its center;
9 one triangular bandage with methods of application printed thereon, two safety pins,
10 and one card of instructions; large first-aid dressings for wounds; packages of steri-

11 lized gauze; assorted bandages; United States Army tourniquet; carbolated vaseline or
 12 boric acid ointment; packages of picric acid gauze; wooden or wire gauze splints; pack-
 13 age of absorbent cotton; safety pins; shears; tweezers; aromatic spirits of ammonia;
 14 paper cups; first-aid book of instructions; soap; basins; towels. Furthermore, in all
 15 mines where 100 or more men are employed underground a first-aid corps shall be or-
 16 ganized, consisting of the foreman or foremen, shift bosses, timekeepers, or other em-
 17 ployees designated by the superintendent; and it shall be the duty of the operator or
 18 superintendent of the mine to cause the organization of such employees and to procure
 19 the services of a competent person to instruct the members of such first-aid corps from
 20 time to time, not less than once in every three months, in the proper handling and treat-
 21 ment of injured persons before the arrival of a physician.

SEC. 22. The operator of every mine shall make or maintain, or cause to be made
 2 or maintained by a competent mining engineer or surveyor, a clear and accurate map or
 3 maps, with sections, if necessary, showing clearly all the workings of such mine. At
 4 least once in every six months or oftener, if necessary, the operator or superintendent
 5 of each mine shall cause to be shown clearly and accurately on the map or maps of such
 6 mine all the excavations made therein during the time elapsed since such excavations
 7 were last shown on such map or maps, and all parts of said mine that shall have been
 8 worked out or abandoned during said elapsed period of time shall be clearly indicated on
 9 said map or maps, and all underground workings shall be surveyed and mapped before
 10 they are allowed to become inaccessible. Such maps shall at all times be open to the
 11 examination of the inspector of mines. In the event of the closing of a mine under con-
 12 ditions that will result in its workings becoming inaccessible the maps herein specified,
 13 or certified copies of them, shall be filed with the inspector of mines.

SEC. 23. Whenever any operator of any mine shall neglect or refuse to make such
 2 map of the workings of any such mine for a period of three months after the receipts of
 3 written notice so to do by the inspector, or shall fail to add or cause to be added to such
 4 map at least once in every six months representation of all excavations made within said

5 period, then and in either of such events, the inspector is hereby authorized to cause
6 correct survey and map of such mine to be made at the expense of the operator thereof,
7 and the cost of which shall be recoverable by law. The amount advanced by the in-
8 spector for making any map as provided in this section shall be considered as part of the
9 expense of his office and shall be paid as such.

SEC. 24. It shall be the duty of the operator of every mine in which oils and
2 other dangerously inflammable materials are used, to store such materials, or cause them
3 to be stored in a covered building kept solely for such storage, which building shall be
4 at least 100 feet from any other building, shaft, tunnel, or other mine openings, and at
5 least 300 feet from any powder magazine: Provided, that gasoline, naphtha, distillate,
6 and fuel oils may be stored in a tank or tanks buried in the ground, which tank or tanks
7 shall be provided with proper vents, and shall be placed at least 10 feet from any build-
8 ing, or 50 feet from any shaft, tunnel or other mine openings, and at least 300 feet from
9 any powder magazine: And provided further, that lubricating oils may be stored in a
10 well constructed, covered building, which shall be at least 10 feet from any building, and
11 50 feet from any shaft, tunnel, or other mine opening, and at least 300 feet from any
12 powder magazine. No tank shall be installed from which liquid fuel is to be conducted
13 by gravity to the point of combustion, unless there be installed between such tank and
14 such point of combustion a simple and reliable cut-off valve which shall be capable of
15 being reached and closed within 30 seconds from any point within the building in which
16 such point of combustion is situated.

17 The man in charge of such building or tank or tanks, who shall be the superintend-
18 ent or a person expressly designated by him, shall permit only sufficient oil or other
19 inflammable material to be taken from such building or tank or tanks to meet the re-
20 quirements of one day. If any oil or gasoline storage be so situated that leakage would
21 permit the oil or gasoline to flow within the above specified distances, means to
22 prevent such flow must be provided.

23 Illuminating oil shall not be stored in the underground workings of any mine, ex-
24 cept such quantity as is sufficient to meet the estimated requirements of the mine during
25 the succeeding 24 hours. No more than one barrel of any one kind of lubricating oil
26 shall be stored underground on any one level at any one time. No oil, candles, explo-
27 sives, timber, or other combustible materials shall be stored at all in shaft stations or
28 within 50 feet thereof.

29 Gasoline shall not be stored underground: Provided; however, that a tank con-
30 taining gasoline and connected to the engine or other apparatus in which it is being used
31 shall not be construed as a storage tank. No engine or other apparatus shall be filled
32 with gasoline while underground.

33 Waste timber or old timber shall not be piled and permitted to decay in stations,
34 drifts, cross cuts, or other open workings in the mine, but shall be removed from the
35 mine as soon as practicable: Provided, however, that in stopes or other workings, old
36 timber may be buried in the filling material and permitted to remain in the mine. Empty
37 boxes, wooden chips, paper, and combustible rubbish of all kinds shall be removed from
38 every working place underground at least once in every 24 hours.

39 Timber storage sheds or any inflammable structure shall not be placed or per-
40 mitted to remain within 75 feet of the shaft house or hoisting engine house: Provided,
41 however, that wooden head frames for hoisting and lowering may be erected and oper-
42 ated.

43 All inflammable material that may be stored in any existing house or structure
44 erected over any shaft, tunnel, or other mine opening shall be immediately removed, and
45 such inflammable material shall not be stored within 30 feet of the exterior walls of such
46 house or structure now existing, or that may hereafter be built.

46½ All oily waste and waste of any kind used in and about underground machinery
47 shall be deposited in metal receptacles.

47½ Calcium carbide shall be stored on the surface only in detached, waterproof, dry,
48 and well-ventilated buildings, and shall be contained in the original metal packages not

49 exceeding 100 pounds each. All such packages, but one, in such storage place shall re-
50 main sealed except that a new package may be opened when in the only other open pack-
51 age there remains less than 1 pound of calcium carbide. No calcium carbide shall be
52 stored underground.

SEC. 25. The term "magazine" as used in this section shall be held to mean and
2 include any building or other structure or place in which explosives are stored or kept,
3 whether above or below ground.

4 Sufficient explosives may be stored within a mine to meet the estimated requirements
5 of such a mine during the succeeding 24 hours and an additional 24 hours' supply of
6 explosives may be taken within the mine for the purpose of thawing the same in accord-
7 ance with the provisions of rules 52 and 59 of section 46 of this act, but in no event
8 shall any greater supply of explosives be taken into or stored in the mine than is re-
9 quired to meet the estimated requirements of the mine during the succeeding 48 hours.
10 No explosives shall be kept at any place within a mine where its accidental discharge
11 would cut off the escape of miners working therein.

12 All explosives within the mine, except in magazines, shall be kept in stout tight
13 boxes with hinged lids, from which explosives shall be removed only as required for im-
14 mediate use. It shall be unlawful to keep such boxes containing explosives near any
15 track or electric conductors or in any man way or to permit any grains or particles of
16 such explosives to be or remain on the outside or about the containers in which such ex-
17 plosives are held. Black blasting powder and high explosives shall not be kept in the
18 same box.

19 Not more than 75 pounds of explosives shall be kept in any one level at any one
20 time, except that such explosives may be stored in an underground magazine from which
21 supplies required for immediate use shall be distributed to the various working places by
22 an authorized and competent person or persons. Such underground magazine may con-
23 sist of a separate drift or chamber, the walls of which shall be of fire proof material or of
24 wood covered with sheet iron. The entrance to such underground magazines shall be

25 kept securely locked, except when it has to be entered by the person or persons in charge
26 of the same.

27 All explosives, except detonators and fuses in excess of the temporary supply au-
28 thorized to be taken into or stored in the mines, shall be stored in a magazine above
29 ground which shall be placed not less than 300 feet distant from any shaft, adit, or other
30 mining entrance, boiler, engine house, habitation, public highway, or public railway.
31 Provided, however, that in cases where the location of any mining property makes it im-
32 practicable to comply with the provisions of this section the inspector may grant permis-
33 sion in writing to the operator of such mining property, to locate such magazine in some
34 other place, if, in the opinion of the said inspector, such location be not dangerous to the
35 mine employees or the public.

36 Every magazine above the ground shall be fire proof and water proof and shall be
37 constructed of bullet-proof material. It shall be provided with mounds of earth,
38 which shall be free from stones over 1 inch in diameter and shall not be less
39 than two feet thick on such side or sides as are in the line with any shaft, adit, or other
40 mine entrance, boiler, engine house, habitation, public highway or public railway, and
41 which are not protected by natural features of the ground and such mound of earth or
42 intervening natural feature or both shall be of sufficient height so that a line drawn
43 from the top of any wall of the magazine to any part of the shaft, adit, mine en-
44 trance or structure to be protected, or to a point not less than 10 feet above the center
45 of such public highway or public railway, shall pass through such mound of earth or in-
46 tervening natural object. The floors of all such magazines shall be laid with sound
47 boards, free from knots, tongued and grooved and not to exceed six inches in width.
48 All nails in the interior of the magazine shall be countersunk. The ground around such
49 magazine shall be kept free from rubbish, dead grass, shrubbery, or other encumbrances
50 and no person shall be allowed to loiter about such place. No electric wires, matches,
51 fire, candles, oil or gas for illuminating purposes, shall be permitted within any surface
52 magazine or closer than ten feet of the explosives stored therein.

52½ Magazines shall be ventilated, and the openings for ventilation shall be so con-

53 structed that sparks of fire may not enter therein, magazines shall at all times be kept
54 clean and dry and free from grit. Before any alterations are made to any part thereof,
55 all explosives shall be carefully removed and the magazine thoroughly washed out. All
56 tools and instruments used in making repairs shall be of wood, copper, brass or other soft
57 metal or material. In no case shall nails or screws be driven into a magazine or into
58 material that has once formed a part of the magazine, and all wooden parts discarded
59 shall be burned in a safe place immediately.

60 All detonators shall be stored above ground in a suitable magazine, or magazines,
61 properly protected against molestation: Provided, that a sufficient supply for the needs
62 of the mine during 48 hours may be stored underground as hereinafter stated. No de-
63 tonator shall be stored within 100 feet of other explosives underground or within 300
64 feet of other explosives above ground. No detonator shall be taken into any magazine
65 containing other explosives. No fuses shall be capped with detonators in any magazine
66 or in any other place where detonators or other explosives are stored, but special benches
67 shall be provided, at least 50 feet from such storage places, where all fuses shall be
68 capped. Cap crimpers shall be furnished in sufficient quantity to avoid the necessity
69 of crimping in any other way. No detonator shall be transported with other explosives
70 except when made into a primer with such other explosives. All primers shall be ex-
71 ploded within 10 hours after making. Not more than 1000 detonators shall be kept un-
72 derground in any one level at any time. Fuse shall not be stored underground for a
73 longer period than 72 hours.

74 When supplies of explosives or fuse are removed from a magazine those that have
75 been longest in the magazine shall be taken first. Packages of explosives shall be re-
76 moved to a safe distance from the magazine before being opened, and no such packages
77 shall be opened with any metallic instrument, other than copper or brass.

78 Any failure on the part of the operator of any mine coming within the provisions
79 of this act to carry out and enforce any or all of the requirements of this section shall
80 constitute a misdemeanor and shall be punished as hereinafter provided.

SEC. 26. It shall be unlawful for the operator or superintendent of any mine to
 2 permit the use, within such mine of any explosive, or any blasting caps or detonators,
 3 or fuse, unless there shall be plainly printed or marked, in the English language, on
 4 every original package containing explosives, the name and place of business of the
 5 manufacturer of such explosives, the date of its manufacture and its strength; and on
 6 every original package containing such fuse the name and place of business of the manu-
 7 facturer of such fuse, the date of its manufacture, and its rate of burning; and on every
 8 original package containing blasting caps or detonators the name and place of business
 9 of the manufacturer of such blasting caps or detonators and the date of their manufac-
 10 ture.

SEC. 27. It shall be unlawful to use anything but wooden tamping rods in tamp-
 2 ing explosives or tamping material in the bore holes, and it shall be the duty of the
 3 mine foreman to see that no iron or steel tools are used for tamping. Detonators of
 4 not less strength than No. 6 containing 1 gram of fulminating composition, shall be
 5 used in firing blasts. It shall be the duty of the mine foreman to fix the time of all blast-
 6 ing and firing. Miners about to fire shots shall cause warning to be given in every di-
 7 rection and all entrances to the place or places where charges are to be fired, shall be
 8 guarded, so far as possible, by men; otherwise by signs, which shall be such as will not
 9 fail to attract the attention of anybody passing.

10 The number of explosions in every blast, except in case of simultaneous firing or
 11 blasts in stopes, shall be counted by the man firing the same, and if the total number of
 12 explosions is less than the number of charges fired, a report of the discrepancy shall be
 13 made as the superintendent shall direct. When a blast has been fired and it is not cer-
 14 tain that all the charges have exploded, no person shall enter the place where such
 15 charges were placed within 30 minutes after the explosion.

16 Whenever possible, a charge that has failed to explode shall be exploded by insert-
 17 ing a new primer in the hole on the old charge and detonating such primer. When tight
 18 tamping has been used, or when for any other reason a new primer cannot be inserted,
 19 no attempt shall be made to extract the explosive, but a new hole shall be drilled, which

20 shall not be nearer to the original hole than 2 feet, and shall be pointed at such an angle
21 as to eliminate all danger of its meeting or coming closer to the old hole than 2 feet, and
22 such new hole shall be charged with a fresh charge of explosives and then detonated.

23 When electricity is used to fire shots, it shall be unlawful for any person knowingly
24 to enter the vicinity of the place where such shots have been fired until the cable from
25 the source of electrical energy to the face of the blast shall have been disconnected. It
26 shall be the duty of the mine foreman to see that all such cables are disconnected imme-
27 diately after such firing and to examine or direct the examination of such place where
28 shots have been fired before any men are permitted to work therein. All miners shall
29 immediately report to the proper authority the finding of any loose wires under or in
29½ the rock loosened by such firing and in such event the mine foreman or, in his absence,
30 the shift boss or other properly constituted authority, shall at once order work to cease
31 until such wires have been disconnected or removed.

32 It shall be unlawful to use electricity from any grounded circuit for firing shots.
33 It shall be the duty of the mine foreman to see that special precautions are taken against
34 the shot-firing cables or wires coming into contact with the lighting, power, or other
35 circuits, or with any metal pipe lines. All portable devices for generating or supplying
36 electricity for shot firing shall, when in the mine be in charge of the mine foreman. No
37 person, other than the mine foreman or some competent employee especially designated
38 by him, shall connect the firing machine or battery to the shot firing leads, and such con-
39 nection shall not be made until all other steps preparatory to the firing of a shot shall
40 have been connected. The primary or secondary batteries used for shot firing shall be
41 provided with a suitable case in which all contacts shall be made or broken except that
42 the binding post for making connections to the firing leads may be outside. These bind-
43 ing posts shall be completely covered with insulating material of a permanent character,
44 such as hard rubber, or fiber, except at the points where the firing leads make connection
45 with the binding posts. Such batteries shall be provided with a detachable plug or key
46 without which the detonating circuit cannot be closed, or provided with one or more
47 safety contact buttons that are well countersunk or protected by a non-conducting hous-

48 ing. The plug or key shall be detached when not actually in use for firing a shot, and
49 shall not under any circumstances pass from the custody of the mine foreman.

50 Electricity from light or power circuits shall not be used for firing shots in a mine,
51 except where the electrical connections to such light or power circuits are made within
52 an enclosed switch room, which shall be kept securely locked and shall be accessible
53 only to the authorized mine foreman or other competent man especially designated by
54 him.

SEC. 28. It shall be the duty of every superintendent of every mine having a
2 hoisting engine to appoint and designate one or more men, who shall be able to speak
3 and read the English language readily, to be known as hoisting engineers. At all
4 shafts where men are hoisted or lowered such hoisting engineers shall be not less than
5 21 years of age, and at shafts where men are not so hoisted or lowered, they shall not
6 be less than 18 years of age. It shall be the duty of every superintendent to appoint
7 as hoisting engineers men who are familiar with the details and working of a hoisting
8 engine, and except in case of emergency to permit no one other than such duly appointed
9 hoisting engineers to run such engine or hoisting machinery; except that, by and with
10 the consent of the superintendent, specified apprentices may be taught the operation of
11 the hoisting engine at such times and under such restrictions as the superintendent may
12 determine to be free of risk to life or limb. Any superintendent failing to make such
13 appointment of hoisting engineer, or knowingly appointing any hoisting engineer not
14 qualified as above, shall be guilty of a violation of this act.

SEC. 29. The superintendent of the mine shall establish for each shaft rates of
2 speed for the cages, skips, buckets or other conveyances that shall not be exceeded in
3 the hoisting or lowering of men, and he shall post a notice of such limitation in a con-
4 spicuous place near each hoisting engine: Provided, that the speed so permitted shall
5 not be greater than 500 feet per minute in the case of shafts of less than 500 feet in
6 depth, and not greater than 800 feet per minute in the case of shafts between 500 and
7 1000 feet in depth, and in shafts of more than 1000 feet in depth not more than one-

8 half the speed normally employed in hoisting material: Provided further, that in the
9 case of inclined shafts the classification herein made shall be determined by the measure-
10 ment of their slope.

11 The Superintendent of the mine shall determine the maximum number of men
12 that in his judgment may safely ride on each cage, skip, bucket, or other conveyance
13 used in the mine under his supervision and shall post in a conspicuous place near each
14 shaft a notice stating the maximum number of persons so permitted to ride and for-
15 bidding the carrying of any greater number. At the beginning of each shift the mine
16 foreman or shift boss, or some other responsible person appointed by the superintend-
17 ent, shall be stationed on the loading platform at the top of the shaft and shall prevent
18 any greater number of men than that permitted by order of the superintendent to enter
19 upon or into any cage, skip, bucket, or other conveyances and shall remain at this station
20 until the last man about to descend the shaft shall have entered the cage, skip, bucket or
21 other conveyance. And at the end of the shift the man in charge of work on each level
22 of the mine from which men are to be hoisted shall post himself in the station of the
23 shaft at that level and shall prevent any greater number of men than the maximum per-
24 mitted by the superintendent of the mine to enter upon or into any cage, skip, bucket, or
25 other conveyance and shall remain in this station until the last man to ascend shall have
26 entered upon or into the cage, skip, bucket, or other conveyance.

27 In every mine operated on two or more levels in which 100 or more men are em-
28 ployed underground and in which the men are hoisted or lowered by cage or other con-
29 veyance except a bucket, such cage or other conveyance shall be operated under the
30 charge of a person appointed as conductor, and no person other than this conductor
31 shall give any signal for the movement of the cage or other conveyance.

32 In hoisting or lowering men with a bucket the speed, except in the case of appre-
33 hended danger, shall not exceed 200 feet per minute when the bucket is within 100
34 feet of the surface, or 500 feet per minute in any other part of the shaft.

35 The superintendent of the mine shall be responsible for the enforcement of the pro-
36 visions of this section.

SEC. 30. The sheave carrying the hoisting rope shall be placed upon a headframe

2 so designed as to resist a pull in the direction of the hoisting engine greater than the
3 breaking stress of the hoisting rope employed. The headframe shall be of sufficient
4 height to allow room for a set of automatic safety chairs, and also for a humble hook
5 in connection with the hoisting rope or some equally practicable device for releasing
6 the hoisting rope in case of over-winding.

7 The operator of a mine employing more than 100 men underground, shall install
8 upon the headframe both a rope-releasing device and a set of automatic chairs to hold
9 the cage, skip or man car in case the hoisting rope is broken or released through over-
10 winding. Such safety chairs shall be placed at such distance below the releasing de-
11 vice as will equal 3 feet more than the height from the bottom of the cage, skip or man
12 car to the clevis at its top. Immediately below the sheave a strong stop shall be put in
13 to prevent the cage, skip or man car from being drawn over the sheave.

14 The operator of a mine employing more than 100 men underground shall install in
15 every shaft in which men are hoisted by cage, skip or man car, a device which shall give
16 a warning signal in the engine room whenever the cage or skip in ascending reaches a
17 point 100 feet below the collar of the shaft. This device shall be independent of the
18 usual indicator or any other device directly connected with the hoisting engine.

19 Provided, however, that the rope releasing device, safety chairs and the warning
20 signal required by the terms of this section need not be installed if the hoisting engine
21 be equipped with a device that will automatically stop the engine if the cage, skip or
22 man car passes a certain point, and provided further that such automatic stopping device
23 be kept constantly in good working order.

SEC. 31. The following rules shall be observed by every hoisting engineer em-
2 ployed within this State.

3 Rule 1. It shall be the duty of every hoisting engineer to keep a careful watch
4 over his engine and over all the machinery under his charge.

5 Rule 2. He shall at all times be in immediate charge of his engine, and shall not
6 at any time delegate any of his duties to any other person, except to apprentices duly
7 designated, as provided in this act: Provided, however, that nothing herein contained
8 shall be construed to prevent any hoisting engineer from delegating to or sharing his
9 duties with any other duly appointed hoisting engineer, or turning over the engine and
10 machinery in his charge to any other such engineer at the end of his shift.

11 Rule 3. He shall familiarize himself with and use all signal codes for hoisting and
12 lowering as directed to be used in this act.

13 Rule 4. He shall not run his engine unless the same is properly provided with
14 brakes, indicators, and distance marks on hoisting ropes or cables, as provided in this
15 act.

16 Rule 5. It shall be the duty of the hoisting engineer to exclude every person
17 from his engine-room, excepting any person or persons whose duties require their pres-
18 ence therein, and visitors authorized by the superintendent of the mine.

19 Rule 6. He shall hold no conversation with any one while his engine is in motion
20 or while attending to signals.

21 Rule 7. He shall run his engine with extreme caution whenever men are being
22 hoisted or lowered.

23 Rule 8. He shall not hoist men out of, or lower men into, any mine or shaft at
24 a speed greater than the rate posted in the engine-room by the superintendent of the
25 mine.

26 Rule 9. He shall inspect all hoisting machinery and safety appliances connected
27 therewith and all ropes and hoisting apparatus, when and as directed by the mine super-
28 intendent, and shall report to him any defects found therein.

29 Rule 10. After any stoppage of hoisting for repairs or for any other purpose ex-
30 ceeding in duration one hour, he shall run a bucket, skip, cage or other conveyance, on
31 which no men shall ride, up and down the working part of the shaft at least once, and
32 shall not permit the bucket, skip, cage, or other conveyance to be used for hoisting or
33 lowering men until the hoisting machinery and shaft shall have been found to be in safe
34 condition.

35 Rule 11. He shall do no hoisting in any compartment of a shaft while repairs are
 36 being made in the said hoisting compartment, except, such hoisting as may be necessary
 37 to make such repairs.

38 Rule 12. He shall land the bucket, skip, cage, or other conveyance either at the
 39 top or at the bottom of the shaft before turning over the charge of the engine to his re-
 40 lief at change of shift, or at any other time.

41 Rule 13. Upon receiving the blasting signal the engineer shall answer by raising
 42 the bucket, skip, cage, or other conveyance a few feet and letting it back slowly; and
 43 then upon receiving the signal of one bell he shall hoist the men away from the blast.

44 Rule 14. He shall familiarize himself with and carry out the requirements of rules
 45 7, 8, 9, 10, 11, 17 and 18 of section 46 of this act.

46 Rule 15. Any hoisting engineer or any person having in charge the hoisting ma-
 47 chinery connected with the mine who shall wilfully violate any of the provisions of this
 48 section, or any of the rules contained therein, or who shall wilfully violate any of the
 49 provisions of rules 7, 8, 9, 10, 11, 17, and 18 in section 46 of this act, shall upon con-
 50 viction be deemed guilty of a violation of this act and shall be liable to punishment ac-
 51 cordingly.

52 Rule 16. The superintendent shall post a copy of this section and a copy of sec-
 53 tion 30 in a conspicuous place on the door of the engine house.

SEC. 32. It shall be unlawful to use in any mine any rope or cable for hoisting
 2 or lowering either men or material, when such hoisting or lowering is done by any
 3 means other than human or animal power, unless such rope or cable shall be composed
 4 of metal wires, with a factor of safety determined as hereinafter set forth: Provided,
 5 however, that such metal wires may be laid around a hemp center.

6 A factor of safety of all such ropes or cables when newly installed in shafts less
 7 than 3,000 feet deep shall in no case be less than six, and shall be calculated by dividing
 8 the breaking strength of the rope, as given in the manufacturers' published tables, by
 9 the sum of the maximum load to be hoisted, plus the total weight of the rope in the shaft
 10 when fully let out.

11 It shall be unlawful to use any rope or cable for the raising or lowering of men
12 when its factor of safety, based on its existing strength and dead load, shall have fallen
13 below 4.5.

14 It shall be unlawful to use any rope or cable of the so-called 6 by 19 standard
15 construction for the raising or lowering of men, either when the number of broken wires
16 in one lay of said rope exceeds six or when the wires on the crown of the strands are
17 worn down to less than 65 per cent of their original diameter, or when the superficial in-
18 spection provided for in this section shows marked designs of corrosion: Provided,
19 however, that when such broken wires are reduced by wear more than 30 per cent in
20 cross section, the number of breaks in any lay of the rope shall not exceed three.

21 The superintendent of a mine shall keep a record of every hoisting rope used at
22 the mine or mines in his charge, noting the length and cross-sectional dimensions of
23 the rope, the construction of the rope, the kind of core, the number of strands, the con-
24 struction of the strands, the number of wires per strand, the class of steel of which the
25 wires are made, the breaking stress of such steel, the breaking load of the rope, the name
26 and address of the maker, the date of manufacture, the date of purchase, the date when
27 put in use, the designation of the shaft and compartment in which the rope is used, the
28 dates of resocketing, reclipping, reclamping, recapping, and shortening, the length of
29 rope cut off at each such operation; the dates of reversing ends, and the date when dis-
30 carded. A copy of this record shall be filed with the inspector of mines.

31 It shall be unlawful to use any hoisting rope after three years from the time of its
32 first installment, irrespective of whether use of the rope in the interval has been con-
33 tinuous or intermittent, unless a piece be cut off from the socket end of said rope and
34 subjected to an actual breaking test in the laboratory of a responsible rope manufacturer
35 or a testing laboratory of recognized standing and shall be found thus to be above the
36 minimum limit of strength as prescribed in this section.

37 Every hoisting rope whereof the hook for connecting with the skip, cage, bucket,
38 or other conveyance is made by means of a babbitted or zinc-filled socket, must be re-
39 socketed at frequent intervals, at least 6 feet of the rope being cut off, and every rope

40 whereof the connection be made by clamps or clips must be reclamped or reclipped with
 41 the same frequency as herein specified for sockets, at least 6 feet of the rope being cut
 42 off at each time: Provided, that if the expected rope life based on previous experiences,
 43 be less than ten months the resocketing must be done every month. And provided fur-
 44 ther, that if the expected life be between 10 and 15 months, the resocketing must be done
 45 every 2 months; if between 15 and 21 months, the resocketing must be done every 3
 46 months; if between 21 and 24 months, the resocketing must be done every $3\frac{1}{2}$ months,
 47 and if over 24 months, the resocketing must be done every six months.

48 When a new hoisting rope is installed, it must be run for at least 10 trips under
 49 full load before it is used for lowering or hoisting men and after each resocketing, re-
 50 clipping, reclamping, or recapping, every rope shall be similarly run for at least four
 51 trips before it is used for lowering or hoisting men.

52 All ropes shall be superficially inspected once in every 24 hours by some competent
 53 person designated for that purpose by the superintendent. It shall be the duty of the
 54 superintendent to cause an examination to be made whenever a rope is resocketed, re-
 55 clamped, or reclipped, by cutting off from the lower end of such rope a section not less
 56 than 6 feet in length and having such section carefully examined both exteriorly and
 57 interiorly for corrosion and breaks. If upon any inspection such hoisting rope or cable
 58 shall be found to be below the requirements set forth in this section, it shall be disused
 59 for such purpose forthwith, and any operator or superintendent using or permitting the
 60 use of such hoisting rope or cable for the purpose of hoisting or lowering men there-
 61 after shall be deemed guilty of a misdemeanor and shall be punished as hereinafter pro-
 62 vided.

63 Every rope used for hoisting or lowering men or material shall be securely fast-
 64 ened to its drum or reel and when in use shall never be fully unwound; at least two
 65 full turns shall remain always on the drum or reel. The end of the rope attached to
 66 the conveyance in the shaft shall either be securely fastened within a tapered socket or
 67 else it shall be bound around an oval thimble and then fastened to itself by such num-

ber of clips or clamps as will develop at least 80 per cent of the strength of the rope and the rope connection shall be maintained at least at that point of efficiency.

Every hoisting rope shall be treated with oil or some suitable rope compound at least once every month. Such compound shall be chemically neutral and shall be of such consistency as to penetrate the strand and not merely cover the surface of the rope:

Provided, that the terms of this section shall not apply to the hoisting and lowering of men in shafts over 3,000 feet deep: Provided further, that the terms of this section shall not apply to the hoisting or lowering of water or other material in shafts used exclusively for that purpose and whereof no compartment is used for the hoisting or lowering of men. If any shaft exempted by this proviso has a compartment for pipes or any other purpose than hoisting, and repairs or the attention of men may be required in such compartment, hoisting through the shaft must be suspended while the men are in it.

The depth of incline shafts shall be taken as the vertical depth measured from the shaft collar.

SEC. 33. It shall be unlawful for the operator of any mine to permit the hoisting or lowering of men through a vertical shaft deeper than 300 feet unless an iron-bonneted safety cage be used for the hoisting and lowering of such men, but this provision shall not apply to shafts in process of sinking.

It shall be the duty of the operator to have all cages in which men are hoisted and lowered used in such shafts over 300 feet deep, constructed as follows: The bonnet shall be of two steel plates, three-sixteenths of an inch in thickness, sloping toward each side, and so arranged that they may be readily pushed upward to afford egress to persons therein, and such bonnet shall cover the top of the cage in such manner as to protect persons on the cage from objects falling into the shaft. The cage shall be provided with sheet iron or steel side casing not less than one eighth of an inch thick, or with a netting composed of wire not less than one-eighth of an inch in diameter and not less than 3½ feet in height, and with gates of not less than 3½ feet in height and made of

14 the same material as the side casing, either hung on hinges or working in slides, or with
15 a bar in lieu of a gate, such bar being not less than $3\frac{1}{2}$ nor more than 4 feet above the
16 cage bottom. Provided, however, that nothing herein shall be constructed as requiring
17 the use of such gates or bars on cages when men are not being hoisted or lowered there-
18 on, or when the number of men thereon does not exceed 50 per cent of the maximum
19 capacity of the cage, determined as provided in section 30. Every cage shall have over-
20 head bars of such arrangement as to give every man on the cage an easy and secure
21 hand hold. Every cage shall be provided with a safety catch of sufficient strength to
22 hold the cage or skip with its maximum load at any point in the shaft in the event that
23 the hoisting cable should break.

24 The failure of the operator of any mine to comply with the provisions of this sec-
25 tion within 90 days after its passage shall constitute a misdemeanor and shall be pun-
26 ished as hereinafter provided.

SEC. 34. All boilers used for generating steam in and about mines shall be kept
2 in good order, and the operator or superintendent shall have them examined and in-
3 spected by a qualified person, not a regular employee of said operator, as often as once in
4 six months, and oftener if the inspector shall deem it necessary. Provided, that inspec-
5 tion by any boiler insurance company in good standing shall be considered equivalent
6 to an examination by such qualified outside person. The result of such examination, of
7 the person making such examination, shall be certified in writing by the operator to the
8 inspector within 30 days thereafter. It shall be the duty of the operator to provide
9 each boiler with a safety valve of sufficient area for the steam to escape, and with weights
10 or springs properly adjusted and with a steam gage and water gages; and another steam
11 gage shall be attached to the steam pipe in the engine house. All steam gages shall be
12 placed in such position that the engineer or fireman can readily examine them and see
13 what pressure is carried. All steam gages shall be kept in good order, and shall be tested
14 and adjusted as often as once in every six months and their condition reported to the
15 inspector in the same manner as the report of the boiler inspection.

16 Every receiver, tank, or other receptacle, except transmission pipe, used for storing
17 compressed air at a greater gage pressure than 40 pounds per square inch, which has a
18 capacity exceeding 6 cubic feet, shall be capable of withstanding a gage pressure of 50
19 percent greater than that normally allowed by the safety valve to exist in such recepta-
20 cle. Every such receptacle shall be inspected with the same frequency and in the same
21 manner as herein provided for the inspection of boilers. Every such receptacle shall be
22 blown out at least once in every 24 hours, so as to remove all accumulations of grease,
23 oils, or other material likely to cause an explosion. In no such receptacle shall the tem-
24 perature be allowed to raise above 250° F.

25 It shall be the duty of the operator to carry out the provisions of this section, and
26 failure to comply with the provisions of this section shall constitute a violation of this
27 act.

SEC. 35. All machinery used in or about the mine that when in motion would be
2 dangerous to persons coming in contact therewith, such as engines, wheels, screens,
3 shafting, gears, and belting, shall be guarded by a covering or railing so as to prevent
4 persons from inadvertently walking against or falling upon the same. The sides of
5 stairs, trestles, and dangerous plank walks, gangways, and platforms in and around the
6 mine shall be provided with hand and guard railing to prevent persons from falling over
7 the sides. This section shall not forbid the temporary removal of a fence, guard rail, or
8 covering for the purpose of repairs or other operations, if proper precaution is used, and
9 if the fence, guard rail, or covering be replaced immediately thereafter.

10 It shall be the duty of the operator to carry out the provisions of this section, and
11 failure to comply with the provisions of this section shall constitute a violation of this
12 act.

SEC. 36. No boy under the age of sixteen years, and no woman or girl of any age
2 shall be permitted to do any manual labor in or about any mine, and before any body
3 can be permitted to work in any mine he must produce to the mine manager or operator
4 thereof an affidavit from his parent or guardian or next of kin, sworn and subscribed to

5 before a Justice of the Peace or Notary Public, that he, the said boy, is sixteen years of
6 age.

7 The parent, guardian or next of kin shall submit in connection with said affidavit a
8 certificate of birth, a baptismal certificate, a passport or other official or religious rec-
9 ord of the boy's age or duly attested transcript thereof, which certificate or transcript
10 thereof shall, for the purposes of this act, establish the age of said boy.

11 Any person swearing falsely in regard to the age of a boy shall be guilty of per-
12 jury, and shall be punished as provided in the General Statutes of the State pertaining
13 to perjury.

SEC. 37. It shall be the duty of every operator of every mine, except as hereinafter
2 provided, to maintain at least two outlets to the surface from such mine, or an under-
3 ground communicating passageway between every such mine and some other neighbor-
4 ing mine, so that there shall be at all times at least two distinct and available means of
5 access to the surface to all persons employed in such mine. Such outlets shall not be
6 less than 100 feet apart and there shall be between them a space not less than 50 feet in
7 width free of buildings or inflammable structures or material.

8 Where two openings to the surface shall not have been provided as aforesaid, it shall
9 be the duty of the inspector to order in writing, served upon the operator or superintend-
10 ent of such mine, a second opening to be made without delay by the operator of said
11 mine, and in the event of the operator of such mine failing forthwith to commence and
12 prosecute the making of a second opening within 20 days after the service of said order,
13 or in the event of the inspector deeming any mine having only one such opening to be
14 dangerous to the lives and health of those employed therein, it shall thereupon be the
15 duty of such inspector forthwith to institute an action for an injunction to close said
16 mine as provided for in section 10 of this act.

17 Provided, however, that the above requirements shall not apply in the case of (a)
18 shafts or mines in process of being connected, to comply with the terms of this section;
19 (b) shafts, winzes, adits, levels, tunnels, and drifts to prospect for and develop mineral

20 substances, but not for the extraction of mineral substances, except such as may be ex-
21 tracted in the course of such prospecting and developing work; (c) any mine in which
22 one of the shafts or outlets shall have temporarily become unavailable for the persons
23 employed in the mine, and in which every effort is being made by the operator in the
24 mine to open such temporarily unavailable outlet, and provided the same is not, in the
25 opinion of the inspector dangerous to the life and health of those employed therein; (d)
26 mines having workings less than 100 feet deep and extending less than 500 feet from the
27 shaft in any direction, but not mines opened primarily by an adit, level or tunnel; and
28 (e) mines opened by an adit, level, tunnel, or drift less than 1,000 feet in length; and
29 provided further, that mines opened by an inclined shaft of less than 20° angle from
30 the horizontal shall be considered for the purpose of this section and act as equivalent
31 to a mine opened by an adit, level, tunnel, or drift.

32 Provided, further, that any prospecting or development property opened by a tim-
33 bered shaft and exempt under exception (b) from providing two outlets to the surface
34 shall not permit more than 50 men to work underground at any one time, unless such
35 shaft be provided with a water-sprinkling system.

SEC. 38. In every mine, where, under the provisions of section 38 of this act, only
2 one outlet is required and where a single shaft affords the only means of ingress and
3 egress to persons employed underground, such shafts if more than 200 feet deep shall
4 be divided into at least two compartments. One of said compartments shall be set aside
5 for use as a ladderway and no hoisting conveyance shall be allowed therein. Whenever
6 such ladderway compartment shall be covered by a non-fire-proof building, it shall be the
7 duty of the operator of said mine to cause said ladderway to be securely bulkheaded at
8 a point at least 25 feet below the collar of the shaft; and below this bulkhead a passage-
9 way shall be driven to the surface so as to have its outlet in no case less than 30 feet
10 beyond the walls of the building covering the main shaft. The said passageway shall be
11 equipped with a ladderway when necessary, as provided in rules 33 to 39 in section 46
12 of this act, and shall be kept in good repair and shall afford an easy exit in the event of

13 fire. Every mine opened by adit, level or tunnel or by an inclined shaft or slope of less
14 than 20° angle from the horizontal, which is less than 1,000 feet in length, shall have a
15 similar side outlet. A failure on the part of the operator of any mine coming within
16 the provisions of this section to carry out or cause to be carried out the provisions of
17 this section shall constitute a violation of this act.

SEC. 39. It shall be unlawful for the operator of any mine after the passage of
2 this act to erect any combustible structure over the shaft, tunnel or other mine opening,
3 except headframes necessary for hoisting from such shaft or other mine opening, and
4 the hatch or door necessary for closing such shaft or other mine opening. Provided,
5 however, that a housing of non-inflammable and fire proof material may be erected over
6 any shaft, tunnel or other mine opening to protect the men working at such point.

7 It shall be the duty of every operator to provide every adit, tunnel, inclined shaft,
8 or slope of less than 20° angle from the horizontal, the mouth of which is covered by
9 a building or house of any kind, with a door near the mouth of such adit, tunnel, in-
10 clined shaft, or slope of less than 20° angle from the horizontal that can be closed from
11 outside of the building by a pull-wire or cable in the event of fire.

12 In every timbered mine in which more than 100 men are employed underground
13 there shall be in each drift or other working leading from any shaft used as a manway,
14 a metal or metal-covered door suitably hung at a place in the drift or other working, not
15 more than 75 feet distant from the shaft from which such working leads. Such doors
16 shall be so set that when closed they may be quickly made airtight, and for the purpose
17 of sealing them there shall be kept in close proximity to each door a suitable quantity of
18 moist earth or moist clay. Such door must swing inward toward the shaft and no such
19 door shall be fitted with any catch that will prevent its being readily pushed open by a
20 man from the other side.

SEC. 40. It shall be the duty of the operator of every mine to provide, in addition
2 to any mechanical means of ingress or egress, at least one means of outlet for the miners

3 by means of ladders from the lowest working of the mine to the surface. All ladders and
4 ladderways constructed after the passage of this act shall be built as prescribed in
5 rules 33 to 40 of section 46 of this act. All ascending and descending manways through
6 stopes and every shaft, winze, raise or incline, steeper than 35 degrees from the hori-
7 zontal, through which men are obliged to pass, shall be provided with ladders and lad-
8 derways as specified in this section: Provided, however, that where the slope of the
9 working place is such as to permit the installation of stairways that can be easily and
10 safely traversed, such stairways may be substituted for ladders.

11 Every exit or outlet from a mine shall be marked with signboards plainly showing
12 the direction to be taken wherever more than one course is possible: Provided, however,
13 that no signboards shall be necessary where the exit or outlet does not branch or fork.

14 Every such exit or outlet shall be marked by colored electric lights wherever sign-
15 boards are required, as herein specified, and an electric lighting circuit is available with-
16 in 25 feet. Such lights shall have a color distinct from all other underground lights.

SEC. 41. The operator of every mine, whether operated by shaft, slope, tunnel,
2 adit, level, or drift, shall provide and maintain for every such mine a good and sufficient
3 amount of ventilation for such men and animals as may be employed therein, and shall
4 cause an adequate quantity of pure air to circulate through and into all the shafts,
5 winzes, levels and all the working places of such mine.

SEC. 42. It shall be the duty of the operator of every mine, for the purpose of im-
2 proving the sanitation thereof and preserving the health of those employed therein, to
3 provide dry closets, water closets, or closet cars upon all main working levels for the use
4 of all men employed in the mine. At least one such closet shall be provided for every
5 25 men employed within the mine. Ready means of access to each such closet shall be
6 provided by the operator. No closet shall be constructed without adequate provision
7 for the effectual cleansing and removing of the contents thereof, which shall be removed
8 and disposed of at least once in every day. It shall be the duty of the mine foreman
9 to cause each dry closet to be supplied with some disinfectant or deodorizer to be

10 sprinkled upon the contents thereof. It shall be the duty of all men employed within
11 any mine where such closets are provided to use such closets exclusively when in the
12 mine and the neglect or failure of any men employed in a mine to use such closets when
13 provided shall constitute a misdemeanor. The neglect or failure of the operator of any
14 mine to provide closets as required by this section shall constitute a misdemeanor: Pro-
15 vided, however, that this section shall not apply to any mine where the operator or su-
16 perintendent prefers to permit the men to go to the surface, and requires the men so
17 to do.

18 Every stable or other place underground used for the housing of mules, horses, or
19 other animals shall be thoroughly cleaned and the waste contents thereof removed to the
20 surface at least every 24 hours.

21 It shall also be the duty of the operator of every mine to provide a good quality of
22 drinking water for the use of all men employed in the mine, a supply of which shall be
23 provided on each main working level, and it shall be the further duty of the superin-
24 tendent to cause such supply of drinking water to be adequately protected from contam-
25 ination by dust and from promiscuous drinking from the supply vessel on the part of
26 the men.

27 It shall be duty of the inspector of mines to see that the provisions of this section
28 are complied with, and in the event of noncompliance to institute the proper proceedings
29 under section 50 of this act.

30 The operator of every mine employing more than 50 men underground shall pro-
31 vide a dressing room or change house for the purpose of drying the clothing of the per-
32 sons employed in and about the mine, and such dressing room or change house shall
33 be provided with adequate means of heating and lighting. Such dressing room or
34 change house shall be available to the men, free of cost, at all reasonable hours.

35 Every person employed in a mine who damages or misuses, or fails to use when
36 necessary, any appliances for the prevention of dust, fumes, or smoke, or any other
37 sanitary appliances provided by the operator shall be deemed guilty of an offense against
38 this act.

SEC. 43. In all mines where stoping is done by the opening of chambers, the

2 roof thereof being supported only by the walls of the chambers, or by pillars, it shall
 3 be the duty of the superintendent of the mine to detail a competent man to make a fre-
 4 quent inspection of the roof of those parts of the mine where men are employed, and
 5 said men so detailed shall be charged with the duty of dislodging any slabs or rock in
 6 said roof that have become loose. While such dislodging is being effected, the floor of
 7 the stope immediately beneath such loose rock shall be fenced off or otherwise ade-
 8 quately guarded: Provided, however, that it shall be the duty of every miner to care
 9 for the roof of the place where he is working.

10 It shall also be the duty of the superintendent of the mine to cause frequent inspec-
 11 tion to be made by a competent person detailed for such purpose, of the roofs of stopes,
 12 inclined shafts, inclined winzes, and other workings used, and of the sides of shafts and
 13 winzes when any of these are used as traveling ways, and of the roofs of all drifts, adit
 14 levels, tunnels, and gangways, and that the person so detailed shall make the place safe.

SEC. 44. Whoever shall, while under the influence of intoxicating liquor, enter any

2 mine, or any of the buildings, connected with the operation of the same where miners
 3 or other workmen are employed, or whoever shall carry intoxicating liquors into the
 4 same, shall be deemed guilty of an offense against this act, and upon conviction shall be
 5 punished accordingly.

6 Provided, however, that nothing herein contained shall prevent the carrying of an
 7 alcoholic spirits or liquor into such mine or buildings for the purpose of administering
 8 to any one injured therein.

SEC. 45. That the following rules in this section set out, shall be observed in every

2 mine.

3 Rule 1. The operator and superintendent of every mine shall use every precau-
 4 tion to insure the safety of the workmen in the mine in all cases, whether provided
 5 for in this act or not.

6 Rule 2. Whenever a mine foreman cannot personally carry out the provisions of
7 this act, so far as they pertain to him, the superintendent shall authorize him to em-
8 ploy a sufficient number of competent persons to act as his assistants, who shall be sub-
9 ject to his order, and shall be known as "asistant mine foremen" and they shall carry
10 on the duties of the mine foreman as directed by him and as prescribed in section 20 of
11 this act.

12 Rule 3. The mine foreman shall have charge of carrying out or directing the carry-
13 ing out of his duties as prescribed in section 20 of this act; and any superintendent who
14 shall direct or cause a mine foreman to disregard the provisions of this act shall be amena-
15 ble in the same manner as the mine foreman.

16 Rule 4. The mine foreman shall see that all dangerous places are properly fenced
17 off and proper danger signal boards are so hung on such fencing that they may be plainly
18 seen.

19 Rule 5. No candle shall be left burning in a mine or any part of a mine when the
20 persons using the candle shall depart from his work for the day.

21 Rule 6. Where candle illumination is used underground metal sconces shall be
22 provided at all timbered stations where candles must be kept burning, and it shall be
23 unlawful to place or keep lighted candles in such places except in metal sconces.

24 Rule 7. At all mines where hoisting is done by cage from two or more levels a
25 man shall be employed whose duties shall be to load and unload the cage and to give
26 the signals to the hoisting engineer. The superintendent shall be responsible for the en-
27 forcement of this rule.

28 The conductor, cage tender, or cage rider, required by the terms of section 30 shall,
29 when men are being hoisted or lowered, see that the gates or bars of the cage are closed
30 before giving the signal to move the cage and shall be responsible for their closing.

31 Rule 8. It shall be unlawful for any person to ride upon any cage, skip, or bucket
32 that is loaded with tools, timber, powder, or other material except for the purpose of as-
33 sisting in passing such material through a shaft or incline, and then only after a special
34 signal has been given.

35 Rule 9. When tools, timber or other material are to be lowered or hoisted in a
36 shaft, their ends if projecting above the top of the bucket, skip or other vehicle shall be
37 securely fastened to the hoisting rope or to the upper part of the vehicle and all tools,
38 timber, or other material loaded upon a cage shall be securely lashed or otherwise se-
39 cured before being lowered or hoisted.

40 Rule 10. In no case shall a cage, skip or bucket or other vehicle be lowered di-
41 rectly to the bottom of the shaft when men are working there, but such cage, skip or
42 bucket or other vehicle shall be stopped at least 15 feet above the bottom of such shaft
43 until the signal to lower farther shall have been given to the hoisting engineer by one of
44 the men at the bottom of the shaft: Provided, however, that this rule shall not apply to
45 shafts of less than 100 feet in depth.

46 Rule 11. During shaft-sinking operations no other work in any other place in the
47 shaft shall be executed, nor shall any material or tools be hoisted or lowered from or to
48 any other place in the shaft while men are at work in the bottom of the shaft unless the
49 men so at work be protected from the danger of falling material by a securely constructed
50 covering extending over the whole area of the shaft, sufficient closable openings being
51 left in the covering for the passage of men and the bucket or other conveyance used in
52 the sinking operation.

53 Rule 12. Whims in use at or in mine shall be provided with a suitable stopper or
54 some other reliable device to prevent running back of the bucket or other conveyance.

55 Rule 13. All vertical shafts more than 300 feet deep from which hoisting is done
56 by means of a bucket shall be provided with suitable guides, and in connection with the
57 bucket there shall be a cross head traveling upon these guides. The height of the cross
58 head shall be at least two-thirds of its width.

59 Rule 14. Every shaft, if exceeding 50 feet in depth shall be provided with an ef-
60 ficient means of interchanging distinct and definite signals between the lowest level and
61 the top of the shaft and the various intermediate levels from which hoisting is being done.
62 The signalling apparatus shall be a cord or wire actuating a knocker, bell or whistle,
63 which shall be supplemented by a speaking tube, or telephone or an electrical system.

64 Rule 15. Special care shall be taken to keep the signalling apparatus in good or-
 65 der, and all proper precautions shall be taken to prevent electric signal and telephone
 66 wires from coming into contact with other electric conductors, whether insulated or not.

67 Rule 16. It shall be unlawful for any person to interfere with or impede any sig-
 68 nalling in any mine, or knowingly to damage any signal system or knowingly to give or
 69 cause to be given any wrong signal within the mine or to ride upon any cage, skip,
 70 bucket, or other conveyance at a time when signals have been given informing the hoist-
 71 ing engineer that no person is so riding.

72 Rule 17. The following signals shall be used: One bell, hoist (when engine is
 73 at rest); one bell, stop (when engine is in motion); two bells, lower; three bells, men
 74 on cage about to ascend or descend; four bells (when shaft sinking is in progress)
 75 blasting signal; nine bells, or flashing of electric lights nine times in quick succession,
 76 danger signal, all men to get out of the mine.

77 Rule 18. Special signals in addition to the above, or signals in lieu thereof, may
 78 be used in any mine, provided they are easily distinguishable by their sound or otherwise,
 79 and do not interfere with them in any way.

80 Rule 19. An easily legible copy of the above code, or of any special code adopted
 81 in any mine, shall be printed in letters at least an inch high, on a board or metal plate
 82 not less than 18 by 18 inches, and shall be securely posted in the engine room, at the
 83 collar of the shaft and at each level or station. The superintendent of the mine shall be
 84 responsible for the carrying out of this rule.

85 Rule 20. The timbers in all manways in daily use shall be cleaned of all loose rock
 86 lodged upon them at least once in every 24 hours. Manways in daily use shall be kept
 87 clear of obstructions.

88 Rule 21. Every shaft, incline, slope, adit, tunnel, level, or drift, and any work-
 89 ing place in the mine shall be, when necessary, kept securely timbered or protected to
 90 prevent injury to any person from falling material. It shall be the duty of the opera-
 91 tor to carry out and enforce the provisions of this rule, but nothing contained herein
 92 shall be construed to relieve the miner from the duty of caring for his own working place,
 93 save as hereinafter provided.

94 Rule 22. It shall be the duty of the operator to see that all miners in the mine are
95 supplied at all times with such timbers as are necessary to keep their working places in a
96 safe condition. For the purposes of this and the succeeding rules, the term "timbers"
97 shall be held to include and mean all wood to be used by the miner, or all steel or con-
98 crete material used in lieu of timber.

99 Rule 23. If for any cause, necessary timbers cannot be supplied to any miner when
100 required, it shall be the duty of the mine foreman to instruct the miner or miners to
101 vacate all such working places until supplied with the timbers needed, but nothing con-
102 tained herein, shall be construed to relieve the operator of the duty of supplying such
103 timbers.

104 Rule 24. All abandoned shafts, shafts temporarily out of use, or shafts used only
105 as airways, shall be securely covered or fenced and shall be so maintained. All mill
106 holes, glory holes, and cavernous stopes opening to the surface shall be securely fenced
107 and shall be so maintained if such mill holes, glory holes, or cavernous stopes are within
108 300 feet of a highway or thoroughfare. All other abandoned excavations whereof the
109 side slopes more than 40 degrees from the horizontal, and whereof the depth is more
110 than 10 feet, shall be securely fenced, but such fencing need be erected only at those
111 places where such slope is in excess of 40 degrees, and all such fencing shall be main-
112 tained in good condition.

113 Rule 25. Any wilful removal of, injury to, or destruction in whole or in part of,
114 any covering or fences provided for in rule 24 of this section shall constitute a misde-
115 meanor, and shall be punished as provided in section 49 of this act.

116 Rule 26. Stationary lights shall be provided during the working hours at all
117 shaft stations during the time the same are in actual use, and also at all stations on the
118 levels where hoisting or hauling is effected by means of machinery and also at night at
119 all places on the surface where work is being conducted, and at the head of any shafts
120 not fenced or covered.

121 Rule 27. All places where hoisting, pumping, or other machinery is erected and in
122 the proximity of which persons employed in the mines are working or moving about shall

123 be so lighted that the moving parts of such machinery can be clearly distinguished.

124 Rule 28. In every mine in which mechanical haulage is employed there shall be at
 125 intervals of not more than 300 feet on each main haulage way, except in shafts, places of
 126 refuge affording a space at least $2\frac{1}{2}$ feet in width between the widest portion of the car
 127 or train running on the tramway and the side of the haulageway. When electric trolley
 128 haulage is used or when there is a lighting circuit in the haulageway such places of re-
 129 fuge shall be marked by lights of a distinctive color, so placed as to be plainly visible
 130 from a distance of at least 50 feet in each direction in the haulageways.

131 Rule 29. Every such place of refuge shall be kept constantly clear, and no refuse
 132 shall be placed therein and no persons shall in any way prevent access thereto.

133 Rule 30. No raise shall be allowed to approach within 10 feet of any part of a
 134 winze, stope, or other opening in which there is a dangerous accumulation of water, un-
 135 less such winze or stope be first unwatered by bailing or pumping or by means of a bore
 136 from the raise.

137 Rule 31. When advancing a drift, adit level, or incline toward a mine working
 138 that is suspected to be filled with water a bore hole shall be kept at least 15 feet in ad-
 139 vance of the breast of the drive when in the vicinity of such mine working, and also, if
 140 necessary in directions laterally from the course of the drive, and such additional pre-
 141 cautionary measures shall be taken as may be deemed necessary to obviate the danger
 142 of a sudden breaking through of water.

143 Rule 32. In every mine where, in the opinion of the inspector of mines, there is
 144 danger of a sudden inburst of water, such additional raises, drifts, or other workings
 145 shall be constructed as are necessary, in the opinion of the inspector, to insure the escape
 146 of workmen from the lower workings.

147 Rule 33. The distance between the center of the rungs of a ladder shall not ex-
 148 ceed 14 inches and shall not vary more than one half inch in any one ladderway.

149 Rule 34. The rungs of a ladder shall in no case be less than 4 inches from the
 150 wall of the shaft or any opening in which the ladder shall be used.

151 Rule 35. Every ladderway with an inclination of more than 45° from the hori-
152 zontal, the vertical distance between the top and the bottom of which is more than 100
153 feet, that may be used for the ascent and descent of persons working in the mine, shall
154 have substantial platforms at intervals of not more than 20 feet measured vertically and
155 the inclination of any ladder or section of a ladder shall not exceed 80° from the hori-
156 zontal.

157 Rule 36. All such platforms, except for an opening large enough to permit the
158 passage of a man, shall be closely covered.

159 Rule 37. Ladders shall project at least 3 feet above every platform in the lad-
160 derway and at least 3 feet above the collar of the shaft, unless hand rails shall be fixed
161 at such places.

162 Rule 38. In vertical workings not exceeding 100 feet in depth or height, ladders
163 may be fixed vertically; no vertical ladders shall be used with a greater height or depth
164 than 100 feet. Provided, however, that around every such vertical ladder, collars or
165 platforms shall be built which shall be not more than 20 feet apart and shall be con-
166 structed as provided by rule 36 of this section.

167 Rule 39. Under no circumstances shall any ladder inclining backward from the
168 vertical be installed.

169 Rule 40. Ladderways shall be provided in all shafts in the course of sinking to
170 within such a distance from the bottom thereof as will secure them from damages by
171 blasting. From the end of such ladderways, chain, wire rope or wooden extension lad-
172 ders to reach to the bottom of the shaft shall be provided. Provided, however, if shots
173 are fired by electricity, ladders shall not be required.

174 Rule 41. It shall be the duty of the superintendent to enforce the carrying out
175 of rules 33 to 40.

176 Rule 42. All sumps shall be securely covered except when being cleaned or re-
177 paired or for similar purposes.

178 Rule 43. In stopes timbered with square sets the working floors shall be closely
179 and securely lagged over. Lagging shall be long enough to reach entirely across the

180 caps or girts, or shall reach to the center of the cap or girt at each end and shall be
181 spiked. Openings in the floors shall be protected by railings.

182 Rule 44. Winzes opening directly from the floor of a drift or stope shall be kept
183 covered by a substantial hatch, or shall be planked over, except when in use, or shall be
184 barred off by a substantial railing not less than $3\frac{1}{2}$ feet nor more than 4 feet above the
185 level of the floor, or shall be provided with a gangway not less than 10 inches wide,
186 which gangway shall have a substantial hand railing not less than $3\frac{1}{2}$ feet nor more than
187 4 feet above the gangway, and the approaches to such gangway at either end shall be
188 protected by a substantial railing not less than $3\frac{1}{2}$ feet nor more than 4 feet above the
189 floor.

190 Rule 45. Stopes opening directly from the floor of a drift shall be protected by a
191 fence or a substantial hand rail not less than $3\frac{1}{2}$ feet nor more than 4 feet in height above
192 the floor of the drift, or such stopes shall be securely planked over.

193 Rule 46. Drifts used as manways intersecting overhead workings through which
194 material is dropped shall be closed to the passage of persons by a substantial rail not less
195 than $3\frac{1}{2}$ feet nor more than 4 feet in height above the level of the drift, on each side
196 of the working, whenever material is to be dropped through such working, and the drift
197 shall be kept so closed during periods when the working is so in use.

198 Rule 47. At all shaft stations a gate or guard rail not less than $3\frac{1}{2}$ feet or more
199 than 4 feet above the floor shall be provided and kept in place across the shaft, except
200 when the cage, skip, bucket or other conveyance is being loaded or unloaded thereat, but
201 this prohibition shall not forbid the temporary removal of the gate or rail for the purpose
202 of repairs or other operations if proper precaution to prevent danger to persons be taken.

203 Rule 48. The top of all shafts shall be protected by a tight fence or railing, which
204 may be provided with the necessary gates or bars to give access to the shaft, but such
205 gates or bars shall be kept closed when access to the shaft is not necessary.

206 Rule 49. If hoisting be done from greater depth than 100 feet by means of a
207 bucket, shaft doors shall be constructed that will prevent any material from falling into
208 the shaft while the bucket is being dumped, and such doors shall be closed while the
209 bucket is being dumped.

210 Rule 50. All stations or levels shall have such a passage way through or around
211 the working shaft that crossing through the hoisting compartment may be avoided; en-
212 tering or crossing the hoisting compartment of a shaft except to ascend or for the pur-
213 pose of effecting repairs is prohibited; before repairs are commenced the person in charge
214 of or directing the repairs shall inform the hoisting engineer of the nature thereof.

215 Rule 51. The safety catches of cages shall be kept well oiled and in good working
216 order, and shall be tested at least once a month. Such test shall consist of releasing the
217 cage suddenly in some suitable manner so that the safety catches shall have an oppor-
218 tunity to grip the guides.

219 Rule 52. Every mine thawing dynamite or other explosives containing nitrogly-
220 cerin shall be provided with a separate place for that purpose on the surface, or with a
221 special underground chamber which shall be a separate drift or cross cut, and it shall
222 be unlawful to have explosives in any other place or in any other manner than as pro-
223 vided by rules 53 to 55 of this section.

224 Rule 53. Dynamite or other explosives containing nitroglycerin shall not be
225 thawed by any means other than a steam or a hot water device, or by manure, or by
226 electrical current. If steam or water be the agent employed, the stove, boiler, or other
227 primary source of heat shall not be nearer to the thawing room than 10 feet. If electric
228 current be the heating agent, the current shall not be brought within 10 feet of the ex-
229 plosives to be thawed.

230 Rule 54. It shall be unlawful to thaw dynamite, or other explosives containing ni-
231 troglycerin, by placing it near a fire or near a steam boiler.

232 Rule 55. It shall be unlawful to thaw dynamite or other explosives containing
233 nitroglycerin, by direct contact with steam.

234 Rule 56. It shall be unlawful for any person knowingly to distribute frozen dyna-
235 mite, or other explosives containing nitroglycerin, to any person working in any mine,
236 unless such explosive is to be thawed in accordance with rules 53 to 55 of this section.

237 Rule 57. It shall be unlawful to carry explosives on an electric locomotive, or in
238 a car next to an electric locomotive, or on a gasoline locomotive or in any car hauled
239 by a gasoline locomotive.

240 Rule 58. It shall be unlawful to place or leave explosives near live electric wires.

241 Rule 59. No person shall remove any explosive from a mine without the written
242 consent of the superintendent of the mine.

243 Rule 60. No fuse shall be used in any mine that burns faster than 3 feet in 80
244 seconds or slower than 3 feet in 130 seconds. From every consignment of fuse re-
245 ceived two coils shall be selected at random and pieces cut from such two coils shall be
246 tested for rate of burning.

247 Rule 61. Notice shall be posted at the entrance of every mine stating the rate of
248 burning of the fuse used in such mine. The superintendent shall be responsible for the
249 carrying out of this rule.

250 Rule 62. Every personal accident occurring in or about any mine, including elec-
251 tric shocks, and burns, and all accidents in connection with the operation of electrical
252 equipment shall be promptly reported to the mine superintendent by the person injured,
253 or, if such person shall be unable so to do by reason of the injury, then it shall be so re-
254 ported by the person in immediate charge of the work at the time of the accident, or by
255 some person acting in behalf of the injured person; and shall be recorded in a book kept
256 for that purpose in the office of the mine, which book shall at all times be open to exam-
257 ination by the inspector.

258 Rule 63. All defects in or damages or injury to machinery or timbering or to
259 apparatus and equipment generally in and about a mine, all unsafe or dangerous condi-
260 tions in any part of the mine, and all accidents occurring in the course of mining opera-
261 tions, other than those of a purely minor character, even though not resulting in per-
262 sonal injury, shall be promptly reported to the mine foreman or superintendent by the
263 person observing the same.

264 Rule 64. Wages shall not be paid on any premises used for the sale of intoxicat-
265 ing liquors.

266 Rule 65. Strangers or visitors shall not be allowed underground in any mine un-
267 less accompanied by the operator or an official of the mine, or by an employee deputized
268 by such operator or official to accompany them, and it shall be a misdemeanor for any

269 such stranger or visitor to enter any mine at any time without the consent of the superintendent.
 269½

270 Rule 66. Every mine employing more than 25 men shall maintain a suitable
 271 equipped washroom, which shall at all times be open to the employees of the mine.

272 Rule 67. Each workman employed in the mine when first engaged shall have his
 273 attention directed by the mine foreman to the general and special rules provided for in
 274 this act.

SEC. 46. That the following definitions and rules relative to electrical installation,
 2 in this section set out, shall be observed in every mine wherein electricity may be used
 3 for lighting purposes and motive power.

4 (a) The terms "potential" and "voltage" are synonymous and mean electrical
 5 pressure.

6 (b) The expression "difference of potential" means the difference of electrical
 6½ pressure existing between any two points of an electrical system or between any point
 7 of such a system and the earth as determined by a voltmeter.

8 (c) The potential or voltage of a circuit, machine, or any piece of electrical ap-
 9 paratus, is the potential normally existing between the conductors of such circuit or
 10 the terminals of such machine or apparatus.

11 (d) Where the conditions of the supply of electricity are such that the difference
 12 in potential between any two points of the circuit cannot exceed 300 volts, the supply
 13 shall be deemed a low-voltage supply.

14 (e) Where the conditions of the supply of electricity are such that the difference
 15 of potential between any two points in the circuit may at any time exceed 300 volts, but
 16 cannot exceed 650 volts, the supply shall be deemed a medium voltage supply.

17 (f) Where the conditions of the supply of electricity are such that the difference
 18 of potential between any two points in the circuit may at any time exceed 650 volts the
 19 supply shall be deemed a high-voltage supply.

10 (g) Grounding any part of an electrical system shall consist in so connecting
21 such part to the earth that there shall be no material difference of potential between
22 such part and the earth.

23 (h) The term "underground station," as used herein shall mean any place where
24 electrical machinery is permanently installed in the mine.

25 (i) The term "carrying capacity" shall be taken to mean the carrying capacity of
26 a given wire as prescribed for various insulated wires in the National Electric Code,
27 published by the National Board of Fire Underwriters.

28 Rule 1. The frames and bedplates of generators, transformers, and motors and
29 other than low-voltage, portable motors, installed underground shall be efficiently
30 grounded. All metallic coverings, armoring of cables, other than trailing cables, and
31 the neutral wire of three-wire, continuous current systems shall also be so grounded.

32 Rule 2. No higher voltage than medium voltage shall be used underground, ex-
33 cept for transmission or for application to transformers or to other apparatus in which
34 the whole of the high-voltage circuit is stationary.

35 Rule 3. All circuits leaving the switchboard in underground stations, and all cir-
36 cuits leaving the switchboard upon the surface and leading underground, shall if cir-
37 cuits are completely insulated from the earth, be equipped with earth or fault detectors
38 properly installed. Such detectors shall be inspected daily by a competent person, who
39 shall report promptly to the superintendent of the mine the occurrence of any ground.

40 Rule 4. Main and distribution switch and fuse boards shall be made of incombusti-
41 ble, non-absorbent insulating material, which shall be free from metallic veins. The
42 board shall be mounted upon supporting frameworks of iron or steel and fixed in a dry
43 place. If insulated conductors are used in the wiring of the board the insulation of
44 such conductors shall be flame proof.

45 Rule 5. All high-voltage machines, apparatus, and lines shall be marked by the
46 use of the word "danger" at frequent intervals.

47 Rule 6. Gloves and mats (or shoes) or rubber or other insulating material shall
48 be provided by the mine superintendent for use in making repairs or adjustments to the
49 live parts of any electrical apparatus.

50 Rule 7. Buckets filled with clean, dry sand shall be kept in all underground sta-
51 tions ready for immediate use in extinguishing fire. The minimum quantity of sand
52 thus stored in any one station shall be 2 cubic feet.

53 Rule 8. Lamps or other proper lights shall be kept ready for use in all under-
54 ground stations where a failure of electric light is likely to cause danger.

55 Rule 9. The operator of every mine where electrical equipment is installed under-
56 ground shall make or cause to be made by a competent person, a clear and accurate plan,
57 on a scale of not less than 200 feet to the inch, to be kept at the mine, showing the po-
58 sition of all stationary electrical apparatus in connection with the mine, including fixed
59 cables, conductors, lights, switches and trolley lines. The capacity in horse power of
60 each motor and in kilowatts of each generator or transformer shall be shown on such
61 plan and the nature of its duty. This plan shall be corrected and be brought up to date
62 at intervals of not exceeding three months, and shall at all times be subject to examina-
63 tion by the inspector. On failure or refusal of the operator to make such plan within
64 three months after receipt of written notice so to do by the inspector, or failure at least
65 once in three months to make the necessary corrections to bring the plan up to date, then
66 the inspector is hereby authorized to have such plan or correction thereof made, at the ex-
67 pense of the operator, as provided by section 24 of this act.

68 Rule 10. A report shall be promptly made to the mine superintendent or mine
69 foreman of every breakdown of any part of the electrical equipment in the mine, or of
70 damage or injury thereto, or of any overheating or of the appearance of sparks or arcs
71 outside of the inclosing casings, or when any part of the equipment not a part of the
72 electrical circuit becomes alive. It shall be the duty of the person first observing such
73 breakdown, injury, damage, sparking, arcing, or the fact that some part of the damage,
74 sparking, arcing, or the fact that some part of the equipment, not so supposed to be, is
75 alive, to make such report or to communicate such fact to the person in charge of the
76 equipment in question, who shall thereupon make such report as prescribed.

77 Rule 11. Whenever any electrical installation is originally introduced into any
78 mine notice thereof in writing shall be sent to the State Mine Inspector within three
79 months from the date of such installation. Notice shall also be sent of any existing in-
80 stallation within three months after the coming into effect of this act.

81 Rule 12. All switches, circuit breakers, rheostats, fuses, and instruments used in
82 connection with underground motors, generators, rotary convertors, high voltage motors,
83 transformers, and low and medium voltage motors of more than 50 horse power ca-
84 pacity shall be installed upon a switchboard constructed as provided in rule 4 of this sec-
85 tion. Similar equipment for low and medium voltage motors of 50 horsepower and less
86 may be separately installed if mounted upon insulating bases of slate or equivalent insu-
87 lating material.

88 Rule 13. A passageway not less than 3 feet in width shall be maintained in front
89 of all switchboards installed underground and any passageway behind the switchboard
90 shall be of like width, where there are connections at the back of the switchboard. Pro-
91 vided, however, that in the case of high voltage boards, such passageways shall be not
92 less than 4 feet in width.

93 Rule 14. The space at the back of the switchboard shall be floored; shall be acces-
94 sible from each end, and shall be kept locked up in case of high voltage boards, but no
95 lock shall be used that will not permit the door being opened from the inside without the
96 use of a key. Non-combustible flooring only shall be used at the back of high voltage
97 boards, except that rubber mats may be used as provided in rule 6.

98 Rule 15. No conductor shall cross a passageway at the back of a switchboard ex-
99 cept below the floor, or at a height of not less than 7 feet above the level of the floor.

100 Rule 16. No live metal work shall be placed on the front of high voltage switch-
101 boards within seven feet of the floor. If live metal work is placed on the front of
102 medium-voltage boards, insulating mats or floors shall be provided.

103 Rule 17. All exposed terminals on underground machines shall be protected with
104 properly designated insulating covers of suitable material, or with metal covers con-
105 nected to earth.

106 Rule 18. Transformer rooms shall be of fire-proof construction.

107 Rule 19. All underground cables and wires, unless provided with grounded me-
108 tallic covering, shall be supported by efficient insulators. The conductors connecting
109 lamps to the power supply shall in all cases be insulated.

110 Rule 20. Cables and wires unprovided with metallic coverings shall not be fixed
111 to walls or timbers by means of insulating fastenings.

112 Rule 21. Overhead transmission lines between the generating station or sub-
113 station and the mine entrance shall be supported upon insulators which shall be adequate
114 in quality, size and design for the voltage transmitted. Where such line is more than
115 500 feet in length, lighting arrestors shall be installed in connection therewith at the
116 generating station and at the entrance to the mine. Such line at the lowest point shall
117 be maintained not less than 14 feet above the ground and above any scaffold, trestle,
118 or embankment, used as a road or traveling way, except at the point of entrance to the
119 mine.

120 Rule 22. Buried cables shall be sufficiently protected.

121 Rule 23. Every completely insulated feeder circuit in excess of 25 kilowatts ca-
122 pacity leading underground where the supply does not exceed the limits of a medium-
123 voltage supply, shall be provided above ground with a switch on each pole and an auto-
124 matic overload circuit breaker on at least one pole in the case of direct-current circuits
125 and on at least two poles in the case of polyphase alternating current circuits. In the
126 case of ground-return direct-current circuits a switch and current breaker shall be in-
127 stalled in the ungrounded side of the circuit, but may be omitted from the return side.
128 Fuses may be substituted for circuit breakers in circuits transmitting 25 kilowatts or less.

129 Rule 24. Every high-voltage alternating current feeder circuit leading under-
130 ground shall be provided above ground with an oil break switch on each pole, and every
131 such switch shall be equipped with an automatic overload trip.

132 Rule 25. Every branch circuit other than a trolley circuit shall be provided with
133 a switch of not less than 100 ampere capacity on each pole at the point where it leaves
134 the main circuit.

135 Rule 26. The non-grounded side of grounded circuits shall be efficiently insulated
136 from earth.

137 Rule 27. Where wires for electric lamps are connected to a trolley wire the ear
138 of the trolley hanger to which connection is made shall be provided with a drilled lug
139 and a set screw for attaching the lighting wire. Such lighting wires shall not be
140 wrapped or tied about the seams or studs of trolley hangers.

141 Rule 28. Wires for all lighting circuits shall be covered with an insulation ade-
142 quate for the voltage of the circuit, and, unless encased in pipes or other metallic cover-
143 ing, shall be strung on porcelain or glass insulators. Separate uncased wires shall be
144 kept at least 3 inches apart, except where they enter the fittings. Metallic casings, if
145 used, shall be efficiently grounded.

146 Rule 29. Trolley wires shall be installed as far to one side of the underground
147 workings as is practicable and shall be securely supported upon hangers efficiently in-
148 sulated and placed at such intervals that the sag between points of support shall not ex-
149 ceed 3 inches.

150 Rule 30. At all places where men are required to work or pass regularly under
151 trolley or other bare power wires, which are placed less than $8\frac{1}{2}$ feet above top of rail,
152 a suitable protection shall be provided, which may consist of channeling the roof, or of
153 placing boards along the wire, which shall extend 3 inches below it, or in the use of any
154 other device that will afford protection. All such places shall be well lighted with
155 electric lamps.

156 Rule 31. All wires except telephone, shot-firing, and signal wires shall be on the
157 same side of the working as the trolley wire.

158 Rule 32. All power wires and cables in hoisting shafts or manways compartments
159 shall be highly insulated and substantially fixed in position. All shaft cables shall be
160 supported by grips that cannot cause abrasion of the covering or insulation, so placed
161 that no part of the cable shall be under a tension greater than one fourth of its ultimate
162 strength. Where the cables are not completely boxed in and protected from falling ma-
163 terial, space shall be left between them and the side of the shaft so that they may yield
164 and lessen a blow from falling material.

165 Rule 33. Where the cables or feed wires in main roads cannot be kept at least 12
166 inches from any part of the mine car or locomotive, they shall be specially protected by
167 proper guards.

168 Rule 34. Cables shall be temporarily protected against damage at any point where
169 workings are being repaired or where blasting is being carried on.

170 Rule 35. The exposed ends of the cables where they enter fittings of any descrip-
171 tion shall be so protected and finished off that moisture cannot enter the cable, or the in-
172 sulating material leak out, if of an oily or viscous nature.

173 Rule 36. Where unarmored cables or wires pass through metal frames or into
174 boxes or motor casings, the holes shall be substantially lined with insulating bushings.

175 Rule 37. All joints in conductors shall be mechanically and electrically efficient
176 and shall be soldered wherever possible. Where conductors cannot be soldered together,
177 suitable screw clamps or connectors shall be used. All joints in insulated wire, shall,
178 after the joint is complete, be re-insulated to the same extent as the remainder of the
179 wire.

180 Rule 38. Where cables are joined, suitable junction boxes shall be used, or the
181 joints shall be soldered, and the insulation, armoring, or lead covering replaced in as
182 good condition as it was originally.

183 Rule 39. Fuses and automatic circuit breakers shall be constructed so as
184 effectually to interrupt the current when a short circuit occurs or when the cur-
185 rent through them exceeds a predetermined value. Open-type fuses shall not be
186 used.

187 Circuit breakers shall be adjusted to trip at from 50 to 150 per cent of their normal
188 rated capacity, and shall be provided with indicators that shall show at what current the
189 circuit breakers are set to trip.

190 Rule 40. Circuit breakers used to protect feeder circuits shall be set properly to
191 protect the circuit, but shall always be set to trip before the current exceeds by more than
192 50 per cent the current carrying capacity of the feeder.

193 Rule 41. All points at which a circuit has to be made or broken shall be provided
194 with proper switches, which shall be so installed that they cannot be closed by gravity.

195 Rule 42. Fuses shall be stamped or marked, or shall have a label attached, indi-
196 cating the maximum current that they are intended to carry. Fuses shall be adjusted
197 or replaced only by an authorized and competent person.

198 Rule 43. The capacity of fuses used to protect feeders shall not exceed the cur-
199 rent capacity of the feeder by more than 25 per cent.

200 Rule 44. All switches, circuit breakers and fuses shall have incombustible bases.

201 Rule 45. Stationary motors underground, together with the starting resistance,
202 shall be protected by a fuse on each pole, or by a circuit breaking device on at least one
203 pole for direct current, and two poles for alternating current motors, and by switches
204 arranged to cut off entirely the power from the motor. These devices shall be installed
205 in a convenient position near the motor. Every stationary motor underground, of 100
206 brake horse power or over shall be provided with a suitable meter to indicate the load
207 on the machine.

208 Rule 46. The exterior of the sockets of all fixed incandescent lamps shall be en-
209 tirely non-metallic.

210 Rule 47. The use of flexible lamp cord for lighting connections is prohibited ex-
211 cept for portable incandescent lights to be used in connection with the inspection and re-
212 pair of machinery and equipment. Such portable lights shall be protected by a wire cage
213 large enough to inclose both lamp and socket and shall be provided with a handle to
214 which the light and socket shall be firmly attached and through which the leading-in
215 wires shall be carried.

216 Rule 48. Incandescent lamps shall be so placed that they cannot come into contact
217 with combustible material; and shall be so placed that an adequate circulation of air
218 may take place on all sides of them.

219 Rule 49. Where electric hoisting is employed, at least one shaft accessible from
220 all parts of the mine shall be equipped with an electric hoist supplied by separate feeders
221 run from any convenient distributing point so that the power on either or both circuits
222 can be kept on when all other circuits in the mine are cut. Provided, however, that any
223 hoist driven otherwise than by electricity and actually in use shall be considered the

224 equivalent of an electric hoist with such separate circuit for the equipment of such gen-
225 erally accessible shaft.

SEC. 47. That the following rules relating to the care of electrical equipment, in
2 this section set forth, shall be observed in every mine wherein electricity is or may be
3 used for lighting or motive power.

4 Rule 1. It shall be unlawful for any person working in or about a mine to cause
5 wilfully another person to receive an electric shock.

6 Rule 2. It shall be unlawful to direct or permit an inexperienced person to work
7 on live apparatus.

8 Rule 3. No person shall handle electric wires or conductors, or electrical ap-
9 paratus of any kind, or enter an electrical machine room or underground station with-
10 out authority.

11 Rule 4. No person shall be allowed to work any electrically driven apparatus un-
12 less he shall have been previously instructed in the performance of his duties by a com-
13 petent person and shall have been duly authorized by the mine superintendent or mine
14 foreman.

15 Rule 5. No repairing or cleaning of any electrical apparatus, except mere oiling
16 or wiping shall be done when the current is on.

17 Rule 6. Electric lamps underground shall not be installed or replaced save by a
18 competent person to be designated or appointed by the mine foreman.

19 Rule 7. Instructions for the restoration of persons suffering from electric shock
20 shall be posted at the entrance to the mine, in every generating station, or sub-station,
21 and in all underground stations. All employees working in connection with electrical
22 apparatus shall be required by the mine superintendent to familiarize themselves with
23 these instructions, and shall be capable of applying them before entering upon such
24 work.

25 Rule 8. It shall be unlawful to damage wilfully, or without proper authority, to
26 alter or make connections to any electrical lines or conductors, machines, apparatus, or
27 part thereof, used in connection with the supply or use of electricity. Any violation of

28 this provision shall be deemed to constitute a misdemeanor and shall be punished as
29 hereinafter provided.

30 Rule 9. All apparatus and wiring shall be inspected at least once in every 15 days
31 by a person designated for the purpose by the superintendent, such person shall make a
32 report once in each month, to the superintendent, of the inspections he has made, noting
33 all defects found and how repaired or remedied.

SEC. 48. Any person who neglects, refuses, or fails to perform or discharge the
2 duties or responsibilities imposed and required to be performed or discharged by any
3 section, clause, provision or rule of this act, or who does any act or thing declared to be
4 unlawful or prohibited by any such section, clause, provision or rule, or who violates any
5 provision or requirement of this act, shall be deemed guilty of a misdemeanor, and, upon
6 conviction thereof in the proper court of the County in which the misdemeanor was
7 committed, shall be punished by a fine not exceeding \$500.00 or by imprisonment in the
8 county jail for a period not exceeding six months, or by both such fine and imprisonment,
9 at the discretion of the court, unless otherwise provided.

10 The county courts of all counties within this State shall have and exercise within
11 the limits of their respective districts, jurisdiction over all offenses and proceedings un-
12 der this act. All fines and penalties imposed or payable under this act may be recovered
13 by distress and sale of any mining or other personal property of the offender; and in de-
14 fault of sufficient distress, by imprisonment for any term not exceeding six months.

15 It shall be the duty of the Attorney General and State's attorneys to prosecute all
16 violations of this act, or all cases of neglect, refusal, or failure to perform or discharge
17 the duties or responsibilities imposed and required to be performed or discharged by said
18 act. It shall also be the duty of such Attorney General or State's attorneys, upon re-
19 quest made, to assist the inspector of mines in obtaining compliance with this act, or any
20 provisions thereof, by the institution of appropriate legal proceedings and to represent
21 such inspector in any and all legal proceedings brought against him in his official capacity.

SEC. 49. This act shall take effect and be in force on and after the first day of
2 January, 1922.



1 Adopted June 2, 1921.

AMENDMENT NO. 1.

Amend House Bill No. 738, on page 1, line 12 of said bill, strike out the word
2 "much" and insert in lieu thereof the word "such."

AMENDMENT NO. 2.

Amend House Bill No. 738, on page 3, line 6, before the word "under-
2 ground" insert the word "such."

AMENDMENT NO. 3.

Amend House Bill No. 738, on page 3, strike out the word "the" at the end
2 of line 8, all of lines 9 and 10 and the words "for such office" in line 11.

AMENDMENT NO. 4.

Amend House Bill No. 738, on page 15, at the end of line 7, strike out the
2 word "two" and insert in lieu thereof the word "five."

AMENDMENT NO. 5.

Amend House Bill No. 738, on page 15, line 9, strike out the word "white"
2 and insert in lieu thereof the word "write."

AMENDMENT NO. 6.

Amend House Bill No. 738, on page 15, line 9, after the words "English
2 Language" strike out the period and insert in lieu thereof a semicolon and the
3 following words: "and who is not thoroughly familiar with the provisions of
4 this Act.

AMENDMENT NO. 7.

Amend House Bill No. 738, on page 5, line 24, strike out the word "unless"
 2 and insert in lieu thereof the word "except."

AMENDMENT NO. 8.

Amend House Bill No. 738, on page 23, strike out all of lines 16, 17, 18 and
 2 19 and all of lines 20, 21 and 22 on page 24.

AMENDMENT NO. 9.

Amend House Bill No. 738, on page 28, line 26 after the words "he shall"
 2 insert the word "daily."

AMENDMENT NO. 10.

Amend House Bill No. 738, on page 40, line 10, strike out the word "fre-
 2 quent" and insert in lieu thereof the word "daily."

AMENDMENT NO. 11.

Amend House Bill No. 738, on page 42, line 55, strike out the figures "300"
 2 insert in lieu thereof the figures "200."

AMENDMENT NO. 12.

Amend House Bill No. 738, on page 45, line 125, strike out the figures "300"
 2 and insert in lieu thereof the figures "100."

1 Introduced by Mr. Harry Wilson, May 3, 1921.

2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For “An Act making an appropriation to the Department of Public Works and Buildings for Fort Chartres.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in*
2 *the General Assembly:* The following sums, or so much thereof as may be necessary,
3 are appropriated to the Department of Public Works and Buildings for expenditures
4 in connection with Fort Chartres:

5	For repairs	\$ 600.00
6	For improvements	
7	Markers for information of visitors	600.00
8	Flag-staff	200.00
9	Toilets	400.00
10	For operating expenses.....	800.00
11	For custodians salary at \$700.00 per year	1400.00

Sec. 2. This appropriation is subject to the provisions of “An Act in relation
2 to State Finance,” approved June 10, 1919, in force July 1, 1919.

- 1 Introduced by Mr. McCabe, May 3, 1921.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For “An Act making an appropriation to pay the State’s share of special assessments for local improvements in the city of Lockport.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* There is appropriated to the Department of Public Works and Buildings the sum of \$3824.00, or so much thereof as may be necessary, to pay the State’s share of special assessments for local improvements (but not exceeding the benefit to be derived by the property of the State) made or to be made in the city of Lockport, the items of this appropriation being as follows:

For paving on State Street assessments on	
Lot 1 in Block 71.....	\$1184.00
Lot 2 in Block 72.....	1184.00
Lot 2 in Block 116.....	656.00
For sewers and water main.....	800.00

Sec. 2. This appropriation is subject to the provisions of “An Act in relation to State Finance,” approved June 10, 1919, in force July 1, 1919.

- 1 Introduced by Committee on Public Utilities and Transportation, May 3, 1921.
- 2 Substitute for House Bills Nos. 118 and 220.
- 3 Read at large a first time, ordered printed, and to a second reading.

TABLE OF CONTENTS.

ARTICLE I.

ORGANIZATION AND POWERS OF THE COMMISSION.

- Sec. 1. Organization of Commission.
- Sec. 2. Secretary.
- Sec. 3. Assistant Commissioners—Additional Officers and Employees.
- Sec. 4. Oath of Office—Qualifications—Bonds, etc.
- Sec. 5. Salaries and expenses.
- Sec. 6. Office of the Commission—Meetings—Seal, etc.
- Sec. 7. Fees to be charged by Commission.
- Sec. 8. No power in Commission to relieve from contracts—Supervision of utilities—Rules and Regulations—Records—Report of Commission.
- Sec. 9. Utilities to comply with requests and obey orders of Commission.
- Sec. 10. Definitions.

ARTICLE II.

REPORTS AND ACCOUNTS.

- Sec. 11. Accounts—Uniform System of.
- Sec. 12. Other than public utility business.
- Sec. 13. Forms of accounts.
- Sec. 14. Depreciation accounts.
- Sec. 15. Audit and inspection.
- Sec. 16. Accounts to be kept within State.
- Sec. 17. Falsification or destruction of accounts.
- Sec. 18. Penalty for divulging information.
- Sec. 19. Reports by public utilities—Penalties for failure to report or false report.

ARTICLE III.

STOCKS AND BONDS—CAPITALIZATION—INTERCORPORATE RELATIONS—
FRANCHISES—VALUATION.

- Sec. 20. Right to issue stocks, bonds, etc.
- Sec. 21. Approval of Securities Issues—Application of proceeds—Indebtedness
for a year or less—Franchises not to be capitalized.
- Sec. 22. Consolidations and reorganizations—Capitalization.
- Sec. 23. Securities unlawfully issued.
- Sec. 24. Penalty for unlawfully issuing securities.
- Sec. 25. Penalty for false statement, etc.
- Sec. 26. No guarantee of utilities securities by State.
- Sec. 27. Intercorporate relations—Approval of Contracts and Leases.
- Sec. 28. Transfer of Franchise or License—Foreign Corporations—Application
of law to.
- Sec. 29. Transfer of franchises—Approval of.
- Sec. 30. Valuation of Utility Property.
- Sec. 31. Fees for issuance of stocks and bonds.

ARTICLE IV.

RATES AND SERVICE—ACCIDENTS.

- Sec. 32. General duties of public utilities.
- Sec. 33. Filing schedules of rates.
- Sec. 34. Publication and posting of schedules.
- Sec. 35. No service to be rendered until schedules filed.
- Sec. 36. Changes of rates—Hearings—Emergency rates.
- Sec. 37. Charging more or less than published rate.
- Sec. 38. Discrimination forbidden.
- Sec. 39. Discrimination — Rebates—Free transportation—Exchange of transpor-
tation for advertising—Prior transfer of real estate.
- Sec. 40. Long and short haul, etc.—Common carriers, telephones, telegraph, etc.

- Sec. 41. Commission to fix rates and regulations.
- Sec. 42. Control over joint rates—Hearings.
- Sec. 43. Interstate rates.
- Sec. 44. Interchange of traffic or service—Joint rates.
- Sec. 45. Sidetrack connections—Jurisdiction over.
- Sec. 46. Tracks—Physical connections.
- Sec. 47. Telephone and telegraph—Physical connections.
- Sec. 48. Joint use of facilities.
- Sec. 49. Facilities, etc.—Power of Commission to require adequate facilities.
- Sec. 50. Additions and new structures—Joint construction.
- Sec. 51. Adequacy of railroad service.
- Sec. 52. Distribution of cars—Expediting traffic — Demurrage — Storage—Switching—Delivery of express—Weights.
- Sec. 53. Conditions in contracts for service—Forms of express receipts
- Sec. 54. Standards of service—Rates to be adjusted to standards.
- Sec. 55. Certificate of convenience and necessity—Certificate not a grant exclusive privilege.
- Sec. 56. Report and investigation of accidents.
- Sec. 57. Safety of plant, appliances, etc.—Railroad track, etc.
- Sec. 58. Grade crossings—Construction—Reconstruction—Protection, etc.
- Sec. 59. Eminent domain.

ARTICLE V.

PROCEEDINGS BEFORE THE COMMISSION AND IN THE COURTS

- Sec. 60. Investigations and hearings—All reports to be of record.
- Sec. 61. Testimony—Immunity of witnesses.
- Sec. 62. Attendance of witnesses—Production of papers.
- Sec. 63. Right to inspect records of the Commission.
- Sec. 64. Complaints—Notice.

- Sec. 65. Hearings — Orders — Records—Copies of official documents and orders.
- Sec. 66. Service of orders.
- Sec. 67. Modification of order or decision—Rehearing.
- Sec. 68. Action to set aside order of Commission.
- Sec. 69. Appeals to Supreme Court from Circuit Court Judgments.
- Sec. 70. Expedition of cases.
- Sec. 71. Suspension of order of Commission pending judicial review.
- Sec. 72. Reparation for overcharge—Investigation of claims against utilities.
- Sec. 73. Civil damages.
- Sec. 74. Remedies cumulative.
- Sec. 75. Mandamus or injunction proceedings at instance of Commission.
- Sec. 76. Penalty for violation of Act or orders by public utility—Separate offenses.
- Sec. 77. Persons violating Act or order—Penalty.
- Sec. 78. Actions to recover penalties.
- Sec. 79. Duty of Commission to prosecute, and to enforce laws affecting public utilities.
- Sec. 80. Cancellation of warehouse licenses.

ARTICLE VI.

LOCAL UTILITIES.

- Sec. 81. Powers of cities.
- Sec. 82. Reports to cities.
- Sec. 83. Powers of cities with respect to acts of Commission under Article III.
- Sec. 84. Applications by city to Commission for assistance.
- Sec. 85. Submission of controversies to Commission rather than to Courts.
- Sec. 86. Adoption of this article by cities.
- Sec. 87. Surrender or resumption of powers by cities.

ARTICLE VII.

REPEAL—SAVING CLAUSE—CONSTRUCTION.

Sec. 88. Repeal.

Sec. 89. Actions and proceedings pending before Public Utilities Commission.

Sec. 90. Constitutionality—Divisibility of Act.

Sec. 91. Act not to apply to interstate commerce.

Sec. 92. Technical omissions not to invalidate acts of Commission.



A BILL

For an Act concerning public utilities

ARTICLE I.

ORGANIZATION AND POWERS OF THE COMMISSION.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* There is hereby created in the
3 Department of Trade and Commerce an Illinois Commerce Commission
4 consisting of seven members. The Governor shall appoint the members of
5 such Commission by and with the advice and consent of the Senate. In
6 case of a vacancy in such office during the recess of the Senate the Governor
7 shall make a temporary appointment until the next meeting of the Senate, when
8 he shall nominate some person to fill such office; and any person so nominated
9 who is confirmed by the Senate, shall hold his office during the remainder of the
10 term and until his successor shall be appointed and qualified. If the Senate is
11 not in session at the time this Act takes effect, the Governor shall make temporary appointments as in the case of a vacancy. Each member of the Commis-

12 sion shall hold office for a term of four years from the third Monday in Janu-
13 ary next after the election of Governor and until his successor is appointed and
14 qualified. The Governor shall from time to time designate the member of the
15 Commission who shall be its chairman.

16 This Act shall be administered by the Illinois Commerce Commission cre-
17 ated by this Act and in its name without any direction, supervision, or control
18 by the director of trade and commerce.

19 A majority of the Commission shall constitute a quorum to transact busi-
20 ness, but no vacancy shall impair the right of the remaining commissioners to
21 exercise all of the powers of the Commission; and every finding, order or deci-
22 sion approved by a majority of the members of the Commission shall be deemed
23 to be the finding, order or decision of the Commission.

Sec. 2. The Commission shall have a secretary, to be appointed by the
2 Governor in the same manner and for the same term as are members of the
3 Commission. He shall keep a record of all proceedings, transactions, com-
4 munications and official acts of the Commission and perform such other duties
5 as the Commission may prescribe.

Sec. 3. Assistant commissioners, not to exceed eight in number, shall be
2 appointed by the Governor as circumstances may require, to hold office at his
3 pleasure, who may be persons qualified by professional training or previous ex-
4 perience, to make valuations of public utility properties, or to estimate proper
5 rates of service of public utilities, or to examine other questions coming before
6 the Commission, by taking testimony or by independent investigation. Such
7 assistant commissioners shall, under the direction of the Commission, take testi-
8 mony of witnesses, examine accounts, records, books, papers and physical prop-
9 erties, either by holding hearings or making independent investigations, in any
10 matter referred to them by the Commission; and make report thereof to the
11 Commission, and attend at hearings before the Commission when so directed by
12 the Commission, for the purpose of explaining their investigations and the re-

13 sult thereof to the Commission and the parties interested; and perform such
14 other duties as the Commission may direct, subject to its orders. All hearings
15 before the Commission or any Commissioner or assistant commissioner shall be
16 held at the place which in the judgment of the Commission shall be most convenient
17 to the parties to be heard.

18 The Commission shall have power upon consultation with and the approval
19 in writing of the Governor, to appoint or employ such additional officers and
20 such accountants, engineers, experts, inspectors, clerks, and employees as it
21 may deem to be necessary to carry out the provisions of this Act or to per-
22 form the duties and exercise the powers conferred by law upon the Commission.
23 Appointments of assistant commissioners, engineers, accountants, rate experts,
24 other experts, and one private secretary or stenographer to each commissioner
25 and assistant commissioner, shall not be included in the classified civil service of
26 the State.

Sec. 4. Each commissioner, each assistant commissioner, the secretary and
2 each person appointed to office by the Commission, shall before entering upon
3 the duties of his office, take and subscribe the constitutional oath of office.

4 Each commissioner, each assistant commissioner, and the secretary shall
5 devote his entire time to the duties of his office, and shall hold no other office
6 or position of profit, or engage in any other business, employment or vocation.

7 No person in the employ of or holding any official relation to any corporation
8 or person subject in whole or in part to regulation by the Commission, and no
9 person holding stocks or bonds in any such corporation, or who is in any other
10 manner pecuniarily interested therein, directly or indirectly, shall be appointed
11 to or hold the office of commissioner, assistant commissioner or secretary,
12 or be appointed or employed by the Commission; and if any such person
13 shall voluntarily become so interested his office or employment shall *ipso facto*
14 become vacant. If any person become so interested otherwise than volun-
15 tarily he shall within a reasonable time divest himself of such interest, and if
16 he fails to do so his office or employment shall become vacant.

17 No commissioner, assistant commissioner, secretary or person appointed or
18 employed by the Commission shall solicit or accept any gift, gratuity, emolu-
19 ment or employment from any person or corporation subject to the supervi-
20 sion of the Commission, or from any officer, agent or employee thereof; nor
21 solicit, request from or recommend, directly or indirectly, to any such person or
22 corporation, or to any officer, agent or employee thereof the appointment of any
23 person to any place or position. And every such corporation and person, and
24 every officer, agent or employee thereof, is hereby forbidden to offer to any
25 commissioner, assistant commissioner, secretary or to any person appointed
26 or employed by the Commission any gift, gratuity, emolument or employment.
27 If any commissioner, assistant commissioner, secretary or any person appointed
28 or employed by the Commission shall violate any provisions of this paragraph
29 he shall be removed from the office or employment held by him. Every person
29½ violating the provisions of this paragraph shall be guilty of a misdemeanor.

30 Before entering upon the duties of his office each commissioner shall give
31 bond, with security to be approved by the Governor, in the sum of \$20,000, con-
32 ditioned for the faithful performance of his duty as such commissioner. Before
33 entering upon the duties of his office each assistant commissioner and the secre-
34 tary shall give bond, with security to be approved by the Governor in the sum of
35 \$10,000, conditioned for the faithful performance of his duty as such assistant
36 commissioner or secretary. Every person appointed or employed by the Com-
37 mission, may, in the discretion of the Commission, before entering upon the
38 duties of his office, be required to give bond for the faithful discharge of his
39 duties, in such sum as the Commission may designate, which bond shall be ap-
40 proved by the Commission.

Sec. 5. The annual salary of each commissioner shall be seven thousand
2 dollars. The annual salary of each assistant commissioner and of the secre-
3 tary of the Commission shall be five thousand dollars. All officers, account-
4 ants, engineers, clerks, inspectors, experts and employees of the Commission

5 shall receive the compensation fixed by the Commission subject to the approval
5¹ of the Governor in writing.

6 The commissioners and their officers, accountants, engineers, clerks, in-
7 spectors, experts and other employees, shall have reimbursed to them all actual
8 and necessary traveling and other expenses and disbursements necessarily in-
9 curred or made by them in the discharge of their official duties. The Commission
10 may also incur necessary expenses for office furniture, stationery, printing and
11 other incidental expenses.

Sec. 6. The office of the Commission shall be in Springfield, but the Commis-
2 sion may, with the approval of the Governor, establish and maintain branch offi-
3 ces at places other than the seat of government. Such office shall be open for
4 business between the hours of eighty thirty in the morning and five in the even-
5 ing throughout the year, and one or more responsible persons to be designated
6 by the Commission or by the secretary under the direction of the Commission
7 shall be on duty at all times in immediate charge thereof.

8 The Commission shall hold stated meetings at least once a month at its office
9 and may hold such special meetings as it may deem necessary at any place
10 within the State.

11 The Commission may, for the authentication of its records, process and pro-
12 ceedings, adopt, keep and use a common seal, of which seal judicial notice shall
13 be taken in all courts of this State; and any process, writ, notice or other paper
14 which the said Commission may be authorized by law to issue shall be deemed
15 sufficient if signed by the secretary of said Commission and authenticated by
16 such seal; and all acts, orders, proceedings, rules, entries, minutes, schedules
17 and records of said Commission, and all reports and documents filed with said
18 Commission, may be proved in any court of this State by a copy thereof, certified
19 to by the secretary of said Commission, with the seal of said Commission
20 attached.

Sec. 7. The Commission shall charge and collect the following fees: For
2 copies of papers and records not required to be certified or otherwise authenti-
3 cated by the Commission, ten cents for each folio; for certified copies of evi-
4 dence and proceedings before the Commission or of official documents and orders
5 filed in its office fifteen cents for each folio, and one dollar for every certificate
6 under seal affixed thereto; for certifying a copy of any report made by a public
7 utility to the Commission or for each certified copy of the annual report of the
8 Commission, one dollar. No fees shall be charged or collected for copies of pa-
9 pers, records, or official documents furnished to any city or public officers for use
10 in their official capacity, or for the annual reports of the Commission in the or-
11 dinary course of distribution, but the Commission may fix reasonable charges
12 for publications issued under its authority. All fees charged and collected by
13 the Commission shall belong to the people of the State, and shall be paid not less
14 than ten days after the receipts of the same, accompanied by a detailed statement
15 thereof, into the treasury of the State to the credit of the general fund.

Sec. 8. The Commission shall have no power to relieve any public utility operat-
2 ing under a license, franchise or grant from any city, village or incorporated town
3 from the performance of any obligations, duties or promises accepted or made as
4 a consideration of the making of such grant, franchise or license, unless such city,
5 village or incorporated town has consented thereto by ordinance. Any ordinance
6 of the city council of any city or of the president and board of trustees of any
7 village or incorporated town, so relieving any public utility, or a statement that
8 such an ordinance has been passed with an indication of the contents thereof,
9 shall be published in one or more newspapers of general circulation in such
10 city, village or incorporated town within ten days after its passage and shall
11 not go into effect until sixty days after its passage. If within said sixty days
12 a petition shall be filed in the office of the clerk of such city, village or incorpo-
13 rated town, signed by five per cent of the registered voters of such city, village
14 or incorporated town, requesting that such ordinance be submitted to a popular
15 vote, it shall be the duty of said clerk to cause the question of whether or not

16 such ordinance shall be approved to be submitted to the qualified voters of such
17 city, village or incorporated town at the first succeeding general or special elec-
18 tion not less than thirty days nor more than ninety days thereafter, or at a
19 special election called for that purpose. Any ordinance so submitted shall not
20 go into effect unless it is approved by a majority of the voters voting thereon at
21 such general or special election.

The Commission shall have general supervision of all public utilities,
2 except as otherwise provided in this Act, shall inquire into the manage-
3 ment of the business thereof and shall keep itself informed as to the manner and
4 method in which the business is conducted. It shall examine such public utili-
5 ties and keep informed as to their general condition, their franchises, capitali-
6 zation, rates and other charges, and the manner in which their plants, equip-
7 ment and other property owned, leased, controlled or operated are managed,
8 conducted and operated, not only with respect to the adequacy, security and
9 accommodation afforded by their service but also with respect to their compli-
10 ance with the provisions of this Act and any other law, with the orders of the
11 Commission and with the charter and franchise requirements.

12 In case any public utility is engaged in carrying on any business other than
13 that of a public utility, which other business is not otherwise subject to the
14 jurisdiction of the Commission, such public utility in respect of such other
15 business shall be subject to inquiry, examination and inspection by the Commis-
16 sion in the same manner as the public utility business in so far as such inquiry,
17 examination and inspection may be necessary to enforce any provision of this
18 Act. The determination of the Commission that a necessity for any regulation
19 of non-public business of a public utility exists shall be *prima facie* evidence of
20 the fact in any action in a court of this State to enforce or set aside an order
21 or ruling of the Commission.

22 The Commission may confer in person, or by correspondence, by attending
23 conventions, or in any other way, with the members of railroad or other public
24 utility Commissions of other states and with the Interstate Commerce Commission
25 on any matters relating to public utilities.

26 The Commission shall have power to adopt reasonable and proper rules and
27 regulations relative to the exercise of its powers, and proper rules to govern its
28 proceedings, and to regulate the mode and manner of all investigations and hearings,
29 and to alter and amend the same.

30 All proceedings of the Commission and all documents and records in its
31 possession shall be public records, except as in this Act otherwise provided.
32 The Commission shall make an annual report to the Governor on or before the
33 first day of December in each year, which shall contain copies of all orders issued
34 by it, and any information in the possession of the Commission which it shall deem
35 of value to the people of the State.

36 The Commission shall conduct a hearing and take testimony relative to any
37 pending legislation with respect to any person, corporation or matter within its
38 jurisdiction, if requested to do so by the General Assembly or by either
39 branch thereof, and shall report its conclusions to the General Assembly. The
40 Commission may also recommend the enactment of such legislation with respect
41 to any matter within its jurisdiction as it deems wise or necessary in the public
42 interest. The Commission shall, at such times as the Governor shall direct,
43 examine any particular subject connected with the condition and management
44 of public utilities, and report to him in writing its opinion thereon with its
45 reasons therefor.

 Sec. 9. Every public utility shall furnish to the Commission all information
2 required by it to carry into effect the provisions of this Act, and shall make
3 specific answers to all questions submitted by the Commission.

4 Any public utility receiving from the Commission any blanks with direc-
5 tions to fill the same, shall cause the same to be properly filled out so as to
6 answer fully and correctly each question therein propounded, and in case it is
7 unable to answer any question, it shall give a good and sufficient reason for such
8 failure; and said answer shall be verified under oath by the president, secretary, super-
9 intendent or general manager of such public utility and returned to the Commission
10 at its office within the period fixed by the Commission.

11 Whenever required by the Commission, every public utility shall deliver to
12 the Commission, any or all maps, profiles, reports, documents, books, accounts,
13 papers and records in its possession, or in any way relating to its property or
14 affecting its business, and inventories of its property, in such form as the Commission
15 may direct, or verified copies of any or all of the same.

16 Every public utility shall obey and comply with each and every require-
17 ment of every order, decision, direction, rule or regulation made or prescribed
18 by the Commission in the matters herein specified, or any other matter in any
19 way relating to or affecting its business as a public utility, and shall do every-
20 thing necessary or proper in order to secure compliance with and observance
21 of every such order, decision, direction, rule or regulation by all of its officers,
22 agents and employees.

Sec. 10. Unless otherwise specified, the word "Commission," when used in
2 this Act, means the Illinois Commerce Commission, which is created and estab-
3 lished under the provisions of this Act.

4 The term "commissioner," when used in this Act, means one of the members of
5 the Commission.

6 The term "public utility," when used in this Act, means and includes every
7 corporation, company, association, joint stock company or association, firm,
8 partnership or individual, their lessees, trustees, or receivers appointed by any
9 court whatsoever (except, however, such public utilities as are or may hereafter
10 be owned or operated by any transportation district or other municipality) that
11 now or hereafter:

12 (a) May own, control, operate, or manage, within the State, directly or in-
13 directly, for public use, any plant, equipment or property used or to be used
14 for or in connection with the transportation of persons or property or the trans-
15 mission of telegraph or telephone messages between points within this State; or
16 for the production, storage, transmission, sale, delivery or furnishing of heat,
17 cold, light, power, electricity or water; or for the conveyance of oil or gas by

18 pipe line; or for the storage or warehousing of goods; or for the conduct of
19 the business of a wharfinger or that

20 (b) May own or control any franchise, license, permit or right to engage
21 in any such business.

22 The term "common carrier," when used in this Act, includes all railroads,
23 street railroads, express companies, private car lines, sleeping car companies,
24 fast freight lines, steamboat lines and other common carriers by water, and
25 every corporation, company, association, joint stock company or association,
26 firm, partnership, or individual, their lessees, trustees, or receivers appointed
27 by any court whatsoever, owning, operating or managing any such agency for
28 public use in the transportation of persons or property within the State.

29 The term "railroad," when used in this Act, includes every railroad other
30 than a street railroad, by whatsoever power operated, for public use in the
31 transportation of persons or property for compensation, with all bridges, fer-
32 ries, tunnels, equipment, switches, spurs, tracks, poles, wires, stations, real
33 estate and terminal facilities of every kind, used, operated, controlled or owned by or
34 in connection with any railroad.

35 The term "street railroad," when used in this Act, includes every railroad
36 by whatsoever power operated, or any extension or extensions, branch or
37 branches thereof, for public use in the transportation of persons or property
38 for compensation, being mainly upon, along, above or below any street, avenue,
39 road, highway, bridge or public place in any city, village or incorporated town,
40 and including all equipment, switches, spurs, tracks, poles, wires, right of track-
41 age, subways, tunnels, stations, terminals and terminal facilities of every kind,
42 together with all real estate used, operated, controlled or owned by or in con-
43 nection with any such street railroad; but the said term "street railroad," when used
44 in this Act, shall not include a railroad constituting or used as part of a trunk line
45 railroad system.

46 The term "transportation of persons," when used in this Act, includes
47 any service in connection with the receipt, carriage and delivery of the person

48 transported and his baggage, and all facilities, used or necessary to be used
49 in connection with the safety, comfort and convenience of the person
50 transported.

51 The term "transportation of property," when used in this Act, includes
52 any service in connection with the receipt, carriage, delivery, elevation, trans-
53 fer in transit, ventilation, refrigeration, icing, storage and handling of the
54 property transported.

55 The term "express company," when used in this Act, includes every corpo-
56 ration, company, association, joint stock company or association, firm, partner-
57 ship or individual, their lessees, trustees, or receivers appointed by any court
58 whatsoever, engaged in the transportation of freight, merchandise or other
59 property for compensation on the route or line of any other common carrier.

60 The term "company," when used in this Act in connection with a public
61 utility, includes any corporation, company, association, joint stock company or
62 association, firm, partnership or individual, their lessees, trustees, or receivers
63 appointed by any court whatsoever, owning, holding, operating, controlling or
64 managing such a public utility, but not municipal corporations.

65 The term "corporation," when used in this Act, includes any corporation,
66 company, association, joint stock company or association, but not municipal
67 corporations.

68 The term "person," when used in this Act, includes an individual, firm or
69 co-partnership.

70 The term "warehouse," when used in this Act, includes all elevators or
71 storehouses where grain is stored for a compensation, whether the property
72 stored be kept separate or not.

73 The term "wharfinger," when used in this Act, includes every corporation,
74 not municipal, or person, their lessees, trustees, or receivers appointed by any
75 court whatsoever, owning, controlling, operating or managing any dock, wharf,
76 or structure used by vessels or other water craft in connection with or to facili-
77 tate the receipt or discharge of freight or passengers within this State.

78 The term "service," when used in this Act, is used in its broadest and
 79 most inclusive sense, and includes not only the use or accommodation afforded
 80 consumers or patrons, but also any product or commodity furnished by any
 81 public utility and the plant, equipment, apparatus, appliances, property and
 82 facilities employed by, or in connection with, any public utility in performing
 83 any service or in furnishing any product or commodity and devoted to the pur-
 84 poses in which such public utility is engaged and to the use and accommoda-
 85 tion of the public.

86 The term "rate," when used in this Act, includes every individual or joint
 87 rate, fare, toll, charge, rental or other compensation of any public utility or any
 88 two or more such individual or joint rates, fares, tolls, charges, rentals or other
 89 compensations of any public utility or any schedule or tariff thereof, and any
 90 rule, regulation, charge, practice or contract relating thereto.

91 The term "city council," when used in this Act, includes the mayor and
 92 commissioners of cities which have adopted the Commission form of municipal
 93 government and the council of all other cities and the president and board of
 94 trustees of villages and incorporated towns.

95 The term "city," when used in this Act, includes all villages and incorpo-
 96 rated towns. The powers and jurisdiction conferred upon cities by Article VI
 97 of this Act shall supersede the powers and jurisdiction conferred upon the
 98 Illinois Commerce Commission, in all cases in which that article shall be
 99 adopted by cities.

ARTICLE II.

REPORTS AND ACCOUNTS.

Sec. 11. The Commission shall have power to establish a uniform system
 2 of accounts to be kept by public utilities or to classify public utilities and to
 3 establish a uniform system of accounts for each class and to prescribe the
 4 manner in which such accounts shall be kept. It may also, in its discretion, pre-
 5 scribe the forms of accounts to be kept by public utilities, including records
 6 of service, as well as accounts of earnings and expenses, and any other forms,

7 records and memoranda which in the judgment of the Commission may be
8 necessary to carry out any of the provisions of this Act. The system of ac-
9 counts established by the Commission and the forms of accounts prescribed by
10 it shall not be inconsistent, in the case of corporations subject to the provi-
11 sions of the Act of Congress entitled, "An Act to regulate commerce," approved
12 February fourth, eighteen hundred and eighty-seven, and the Acts amendatory
13 thereof and supplementary thereto, with the systems and forms from time to
14 time established for such corporations by the Interstate Commerce Commission,
15 but nothing herein contained shall affect the power of the Commission to pre-
16 scribe forms of accounts for such corporations, with the approval of the Inter-
17 state Commerce Commission, covering information in addition to that required
18 by the Interstate Commerce Commission. Where the Commission has prescribed
19 the forms of accounts to be kept by any public utility for any of its business, it
20 shall thereafter be unlawful for such public utility to keep any accounts for
21 such business other than those prescribed or approved by the Commission, or
22 those prescribed by or under the authority of any other state or of the United
23 States.

24 The Commission may, from time to time, alter, amend or repeal, in whole
25 or in part, any uniform system of accounts, or the form and manner of keeping
26 accounts. It shall never be beyond the power of the Commission to require the
27 production of any accounts, books or records kept by any public utility, its
28 officers or stockholders, in the regular course of business.

Sec. 12. The Commission may require every public utility engaged directly
2 or indirectly in any other than a public utility business, as defined by law to
3 keep separately in like manner and form the accounts of all such other busi-
4 ness, and the Commission may provide for the examination and inspection of
5 the books, accounts, papers and records of such other business, in so far as may
6 be necessary to enforce any provision of this Act. The Commission shall have
7 power to inquire as to and prescribe the apportionment of capitalization, earn-
8 ings, debts and expenses fairly and justly to be awarded to or borne by the own-

9 ership, operation, management or control of such public utility as distinguished
10 from such other business.

Sec. 13. Such systems of accounts shall provide for forms showing all
2 sources of incomes, the amounts due and received from each source and the
3 amounts expended and due for each purpose, distinguishing clearly all pay-
4 ments for operating expenses from those for new construction, extensions and
5 additions and for balance sheets showing assets and liabilities and various
6 forms of proprietary interest.

Sec. 14. The Commission shall have power, after hearing, to require any
2 or all public utilities to keep such accounts as will adequately reflect deprecia-
3 tion obsolescence and the progress of the arts. The Commission may, from
4 time to time, ascertain and determine and by order fix the proper and adequate
5 rate of depreciation of the several classes of property for each public utility;
6 and each public utility shall conform its depreciation accounts to the rates so
7 ascertained, determined and fixed.

Sec. 15. The Commission may provide for the examination and audit of all
2 accounts, and all items shall be allocated to the accounts in the manner pre-
3 scribed by the Commission. The officers and employees of the Commission
4 shall have authority under the direction of the Commission to inspect and exam-
5 ine any and all books, accounts, papers, records and memoranda kept by such
6 public utilities.

Sec. 16. Each public utility shall have an office in one of the cities, vil-
2 lages or incorporated towns in this State in which its property or some part
3 thereof is located, and shall keep in said office all such books, accounts, papers,
4 records and memoranda as shall be ordered by the Commission to be kept within
5 the State. The address of such office shall be filed with the Commission. No
6 books, accounts, papers, records or memoranda ordered by the Commission to
7 be kept within the State shall be at any time removed from the State, except
8 upon such conditions as may be prescribed by the Commission.

Sec. 17. Any person who shall wilfully make any false entry in the accounts,
2 or in any record of memoranda kept by a public utility, or who shall wilfully
3 destroy, mutilate, alter, or by any other means or device falsify the record of
4 any such account, record or memoranda, or who shall wilfully neglect or fail
5 to make full, true, and correct entries in such accounts, records, or memoranda
6 of all facts and transactions appertaining to the business of the public utility,
7 or shall keep any accounts or record other than those prescribed or approved
8 by the Commission, shall be guilty of a misdemeanor, and upon conviction, be
9 subject to imprisonment in the county jail not exceeding one year, or to a fine
10 not exceeding one thousand dollars, or to both.

Sec. 18. Any officer or employee of the Commission who divulges any fact
2 or information coming to his knowledge during the course of an inspection, ex-
3 amination or investigation of any account, record, memorandum, book or paper
4 of a public utility, except in so far as he may be authorized by the Commission
5 or by a court of competent jurisdiction, or a judge thereof, shall be guilty of a
6 misdemeanor, and upon conviction be subject to imprisonment in the county
7 jail not exceeding one year, or to a fine not exceeding one thousand dollars, or
8 to both.

Sec. 19. Each public utility in the State shall each year furnish to the Com-
2 mission, in such form as the Commission shall require, annual reports as to all
3 the items mentioned in the preceding sections of this article, and in addition
4 such other items, whether of a nature similar to those therein enumerated or
5 otherwise, as the Commission may prescribe. Such annual reports shall con-
6 tain all the required information for the period of twelve months ending on the
7 thirtieth day of June in each year, or ending on the thirty-first day of Decem-
8 ber in each year, as the Commission may by order prescribe for each class of
9 public utilities, and shall be filed with the Commission at its office in Spring-
10 field within three months after the close of the year for which the report is
11 made. The Commission shall have authority to require any public utility to file

12 monthly reports of earnings and expenses of such utility, and to file other
 13 periodical or special, or both periodical and special reports concerning any
 14 matter about which the Commission is authorized by law to keep itself informed.
 15 All reports shall be under oath.

16 When any report is erroneous or defective or appears to the Commission
 17 to be erroneous or defective, the Commission may notify the public utility to
 18 amend such report within thirty days, and before or after the termination of
 19 such period the Commission may examine the officers, agents, or employees,
 20 and books, records, accounts, vouchers, plant, equipment and property of such
 21 public utility, and correct such items in the report as upon such examination
 22 the Commission may find defective or erroneous.

23 All reports made to the Commission by any public utility and the contents
 24 thereof shall be open to public inspection, unless otherwise ordered by the Com-
 25 mission. Such reports shall be preserved in the office of the Commission.

26 Any public utility which fails to make and file any report called for by
 27 the Commission within the time specified; or to make specific answer to any
 28 question propounded by the Commission within thirty days from the time it is
 29 lawfully required to do so, or within such further time, not to exceed ninety
 30 days, as may in its discretion be allowed by the Commission, shall forfeit \$100
 31 for each and every day it may so be in default.

32 Any person who wilfully makes any false return or report to the Commis-
 33 sion, or to any member, officer or employee thereof, and any person who aids
 34 or abets such person shall, upon conviction, be subject to imprisonment in the
 35 county jail not exceeding one year, or to a fine not exceeding one thousand
 36 dollars, or both.

ARTICLE III.

STOCKS AND BONDS—CAPITALIZATION—INTERCORPORATE RELATIONS—FRANCHISES

—VALUATION.

Sec. 20. The power of public utilities to issue stocks, stock certificates,
 2 bonds, notes and other evidences of indebtedness and to create liens on their

3 property is a special privilege, the right of supervision, regulation, restriction
4 and control of which is and shall continue to be vested in the State, and such
5 power shall be exercised by the Commission hereby created according to the
6 provisions of this Act and under such rules and regulations as the Commission
7 may prescribe.

8 The Commission shall provide, by serial number or other device to be placed
9 on the face thereof, for the proper and easy identification of such stocks, stock
10 certificates, bonds, notes and other evidences of indebtedness as may be issued
11 by public utilities under the provisions of this article.

Sec. 21. Subject to the provisions of this Act and of the order of the
2 Commission issued as provided in this Act, a public utility may issue stocks
3 and stock certificates, and bonds, notes and other evidences of indebtedness
4 payable at periods of more than twelve months after the date thereof, for the
5 following purposes and no others, namely: For the acquisition of property, or
6 for the construction, extension or improvement of or addition to its facilities,
7 or for the discharge or lawful refunding of its obligations; or for the reim-
8 bursement of moneys actually expended from income or from any other moneys
9 in the treasury of the public utility not directly or indirectly secured by or ob-
10 tained from the issue of stocks or stock certificates, or bonds, notes or other evi-
11 dences of indebtedness of such public utility, within five years next prior to the
12 filing of an application with the Commission for the required authorization, for
13 any of the aforesaid purposes except maintenance of service, replacements and
14 substitutions in cases where the applicant shall have kept its accounts and
15 vouchers for such expenditures in such manner as to enable the Commission to
16 ascertain the amount of moneys so expended and the purposes for which such
17 expenditures were made, and the sources of the funds in the treasury of the
18 public utility applied to such expenditures: *Provided*, that such public utility,
19 in addition to the other requirements of law, shall first have secured from the
20 Commission an order authorizing such issue and stating the amount thereof and
21 the purpose or purposes to which the issue or the proceeds thereof are to be

22 applied, and that, in the opinion of the Commission, the money, property or
23 labor to be procured or paid for by such issue is reasonably required for the
24 purpose or purposes specified in the order, and that, except as otherwise per-
25 mitted in the order in the case of notes or other evidences of indebtedness,
26 such purpose or purposes are not, in whole or in part, reasonably chargeable
27 to operating expenses or to income. To enable it to determine whether it will
28 issue such order, the Commission shall hold a hearing and may make such addi-
29 tional inquiry or investigation, and examine such witnesses, books, papers, ac-
30 counts, documents and contracts and require the filing of such data as it may
31 deem of assistance. The public utility may be required by the Commission to
32 disclose every interest of the directors of such public utility in any transaction
33 under investigation. The Commission shall have power to investigate all such
34 transactions and to inquire into the good faith thereof, to examine books,
35 papers, accounts, documents and contracts of public utilities, construction or
36 other companies or of firms or individuals with whom the public utility shall
37 have had financial transactions, for the purpose of enabling it to verify any
38 statements furnished, and to examine into the actual value of property
39 acquired by or services rendered to such public utility. Before issuing its order
40 the Commission, when it is deemed necessary by the Commission, shall make an
41 adequate physical valuation of all property of the public utility, but a valua-
42 tion already made under proper public supervision may be adopted, either in
43 whole or in part, at the discretion of the Commission; and shall also examine
44 all previously authorized or outstanding securities of the public utility, and
45 fixed charges attached thereto. A statement of the results of such physical
46 valuation, and a statement of the character of all outstanding securities, to-
47 gether with the conditions under which they are held, shall be included in the
48 order. The Commission may require that such information or such part thereof
49 as it thinks proper, shall appear upon the stock, stock certificate, bond, note or
50 other evidence of indebtedness authorized by its order. The Commission may
51 by its order grant permission for the issue of such stock certificates, or bonds,

52 notes or other evidences of indebtedness in the amount applied for, or in a
53 lesser amount, or not at all, and may attach to the exercise of its permission
54 such condition or conditions as it may deem reasonable and necessary. The
55 Commission may also require the public utility to compile for the information
56 of its shareholders such facts in regard to its financial transactions, in such
57 form as the Commission may direct.

58 No public utility shall, without the consent of the Commission, apply the
59 issue of any stock or stock certificate, or bond, note or other evidence of in-
60 debtedness, or any part thereof, or any proceeds thereof, to any purpose not
61 specified in the Commission's order or to any purpose specified in the Com-
62 mission's order in excess of the amount authorized for such purpose, or issue,
63 or dispose of the same on any terms less favorable than those specified in such
64 order, or a modification thereof. The Commission shall have the power to re-
65 quire public utilities to account for the disposition of the proceeds of all sales
66 of stocks and stock certificates, and bonds, notes and other evidences of indebt-
67 edness, in such form and detail as it may deem advisable, and to establish such
68 rules and regulations as it may deem reasonable and necessary to insure the
69 disposition of such proceeds for the purpose or purposes specified in its order.

70 A public utility may issue notes, for proper purposes, and not in violation
71 of any provision of this Act or any other Act, payable at periods of not more
72 than twelve months after the date of issuance of the same, without the con-
73 sent of the Commission; but no such note shall, in whole or in part, be re-
74 newed from time to time without the consent of the Commission for an aggre-
75 gate period of longer than two years, or be refunded by any issue of stocks
76 and stock certificates, or of bonds, notes of any term or character or any other
77 evidence of indebtedness, without the consent of the Commission.

78 The Commission shall have no power to authorize the capitalization of the
79 right to be a corporation, or to authorize the capitalization of any franchise,
80 license, or permit whatsoever or the right to own, operate or enjoy any such
81 franchise, license, or permit, in excess of the amount (exclusive of any tax or

82 annual charge) actually paid to the State or to a political subdivision thereof
83 as the consideration for the grant of such franchise, license, permit or right;
84 nor shall any contract for consolidation or lease be capitalized, nor shall any
85 public utility hereafter issue any bonds, notes or other evidences of indebted-
86 ness against or as a lien upon any contract for consolidation or merger.

Sec. 22. The capitalization of a public utility formed by a merger or con-
2 solidation of two or more corporations shall be subject to the approval of the
3 Commission, but in no event shall the Commission approve a capitalization ex-
4 ceeding the sum of the capital stock of the corporations so consolidated, at the
5 par value thereof, and any additional sum actually paid in cash for improve-
6 ments; nor shall any contract for consolidation or lease be capitalized in the
7 stock of any corporation whatever; nor shall any corporation hereafter issue
8 any bonds against or as a lien upon any contract for consolidation or merger.
9 In any reorganization of a public utility, resulting from forced sale, or in any
10 other manner, the amount of capitalization, including therein all stocks and
11 stock certificates and bonds, notes and other evidences of indebtedness, shall be
12 such as is authorized by the Commission, which in making its determination,
13 shall not exceed the fair value of the property involved. Issuance of stocks
14 and stock certificates, and bonds, notes or other evidences of indebtedness in
15 connection with any consolidation, merger, or reorganization shall be subject to
16 all the terms of Sections 20 and 21 of this Act.

Sec. 23. All stock and every stock certificate, and every bond, note or other
2 evidence of indebtedness, of a public utility, not payable within twelve months
3 issued without an order of the Commission authorizing the same then in effect
4 shall be void, unless issued upon the authority of any articles of incorporation or
5 amendments thereto, and of a vote of the stockholders or directors, filed and
6 taken before July 1, 1913, and likewise all stock and every stock certificate, and
7 every bond, note or other evidence of indebtedness of a public utility not payable
8 within twelve months, issued with the authorization of the Commission, but not

9 conforming in its provisions to the provisions, if any, which it is required by
10 the order of authorization of the Commission to contain, shall be void; but no
11 failure in any other respect to comply with the terms or conditions of the order
12 of authorization of the Commission shall render void any stock or stock certifi-
13 cate, or any bond, note or other evidence of indebtedness, except as to a corpo-
14 ration or person taking the same with notice of the failure to comply with the
15 order of the Commission.

Sec. 24. Every public utility which, directly or indirectly, issues or causes
2 to be issued, any stock, stock certificate, bond, note or other evidence of indebt-
3 edness, in non-conformity with the order of the Commission authorizing the same,
4 or contrary to the provisions of this Act, or which applies the proceeds from
5 the sale thereof, or any part thereof, to any purpose other than the purpose or
6 purposes specified in the Commission's order, as herein provided, or to any pur-
7 pose specified in the Commission's order in excess of the amount authorized for
8 such purpose, shall upon conviction, be subject to a penalty of not less than five
9 hundred dollars (\$500) nor more than twenty thousand dollars (\$20,000) for
10 each offense.

Sec. 25. Every officer, agent or employee of a public utility, and every
2 other person who knowingly authorizes, directs, issues or executes, causes to be
3 issued or executed, or aids in the issue or execution of any stock, stock certifi-
4 cate, bond, note or other evidence of indebtedness, in non-conformity with the or-
5 der of the Commission authorizing the same, or contrary to the provisions of
6 this Act; or who, in any proceeding before the Commission, knowingly makes
7 any false statement or representation, or with the knowledge of its falsity files
8 or causes to be filed with the Commission any false statement or representation,
9 which said statement or representation so made, filed or caused to be filed, may
10 tend in any way to influence the Commission to make an order authorizing the
11 issue of any stock or stock certificate, or any bond, note or other evidence of in-
12 debtedness, or which results in procuring from the Commission the making of

13 any such order, or who, with knowledge that any false statement or representa-
 14 tion was made to the Commission, in any proceeding, tending in any way to in-
 15 fluence the Commission to make such order, issues or executes or negotiates, or
 16 causes to be issued, executed, or negotiated any such stock or stock certificate, or
 17 bond, note or other evidence of indebtedness, or who, directly or indirectly,
 18 knowingly applies, or causes or assists to be applied the proceeds or any part
 19 thereof, from the sale of any stock or stock certificate, or bond, note or other evi-
 20 dence of indebtedness, to any purpose not specified in the Commission's order
 21 or to any purpose specified in the Commission's order in excess of the amount
 22 authorized for such purpose, or who, with knowledge that any stock or stock
 23 certificate, or bond, note or other evidence of indebtedness, has been issued or
 24 executed in violation of any of the provisions of this Act, negotiates, or causes
 25 the same to be negotiated, shall, on conviction thereof, be imprisoned in the
 26 State penitentiary for a term of not less than two years and not more than ten
 27 years.

Sec. 26. No provision of this Act, and no deed or act done or performed
 2 under or in connection therewith, shall be held or construed to obligate the State
 3 of Illinois to pay or guarantee, in any manner whatsoever, any stock or stock
 4 certificate, or bond, note or other evidence of indebtedness, authorized, issued
 5 or executed under the provisions of this Act; nor shall it be held or construed to
 6 imply any validation or approval by the State of past issues, nor that past or
 7 future or past and future issues represent actual value of property owned or to
 8 be owned by a public utility or the value of such property for rate making pur-
 9 poses.

Sec. 27. Unless the consent and approval of the Commission is first
 2 obtained:

3 (a) No two or more public utilities may enter into contracts with each
 4 other that will enable such public utilities to operate their lines or plants in con-
 5 nection with each other;

6 (b) No public utility may purchase, lease, or in any other manner acquire,
7 control, direct or indirect, over the franchises, licenses, permits, plants, equip-
8 ment, business or other property of any other public utility;

9 (c) No public utility may assign, transfer, lease, mortgage, sell or other-
10 wise dispose of or encumber the whole or any part of its franchises, licenses,
11 permits, plant, equipment, business, or other property; but this shall not be con-
12 strued to prevent the sale, lease, assignment or transfer by any public utility of
13 any tangible personal property which is not necessary or useful in the perform-
14 ance of its duties to the public;

15 (d) No public utility may by any means, direct or indirect, merge or con-
16 solidate its franchises, licenses, permits, plants, equipment, business or other
17 property with that of any other public utility;

18 (e) No public utility may purchase, acquire, take or hold any stock,
19 stock certificates, bonds, notes or other evidences of indebtedness of any
20 other public utility, except with the consent and approval of the Com-
21 mission.

22 The proceedings for obtaining the authorization of the Commission
23 provided for in this section shall be as follows: There shall be filed
24 with the Commission a petition, joint or otherwise, as the case may
25 be, signed and verified by the president and secretary of the respect-
26 ive companies or by the person or company, as the case may be, clearly
27 setting forth the object and purposes desired, and setting forth the full
28 and complete terms of the proposed assignment, transfer, lease, mort-
29 gage, purchase, sale, merger, consolidation, contract or other transaction,
30 as the case may be. Upon the filing of such petition, the Commis-
31 sion shall, if it deems necessary, fix a time and place for the hearing thereon.
32 After such hearing, or in case no hearing is required, if the Commission is satis-
33 fied that such petition should reasonably be granted, and that the public will be
34 convenienceed thereby, the Commission shall make such order in the premises as
35 it may deem proper and as the circumstances may require, attaching such con-

36 ditions as it may deem proper, and thereupon it shall be lawful to do the things
 37 provided for in such order. The Commission shall impose such conditions as
 38 will protect the interest of minority and preferred stockholders.

39 Every assignment, transfer, lease, mortgage, sale, or other disposition or
 40 encumbrance of the whole or any part of the franchises, licenses, permits, plant,
 41 equipment, business or other property of any public utility, or any merger or
 42 consolidation thereof, and every contract, purchase of stock, or other transac-
 43 tion referred to in this section, made otherwise than in accordance with an order
 44 of the Commission authorizing the same, except as provided in this section,
 45 shall be void. The provisions of this section shall not apply to any transactions
 46 by or with a transportation district organized under the laws of this State.

Sec. 28. No franchise, license, permit or right to own, operate, manage or
 2 control any public utility, except common carriers engaged in interstate com-
 3 merce and except telegraph or telephone companies engaged in interstate com-
 4 merce, shall be hereafter granted or transferred to any grantee or transferee
 5 other than a corporation duly incorporated under the laws of this State.

6 No public utility shall be in any manner exempt from the provisions of this
 7 Act because or by virtue of the fact that it may be or may have been incorporated
 8 or organized under the laws of another state, or of the United States, or of a for-
 9 eign country.

Sec. 29. No franchise, license, permit or right to own, operate, manage or
 2 control any public utility shall be assigned, transferred or leased nor shall any
 3 contract or agreement with reference to or affecting any such franchise, license,
 4 permit or right be valid or of any force or effect whatsoever, unless such assign-
 5 ment, lease, contract, or agreement shall have been approved by the Commission.
 6 Such permission shall not be construed to revive or validate any lapsed or in-
 7 valid franchise, license, permit or right, or to enlarge or add to the powers and
 8 privileges contained in the grant of any franchise, license, permit or right, or
 9 to waive any forfeiture.

10 The provisions of this section shall not apply to any transactions by or with
11 a transportation district organized under the laws of this State.

Sec. 30. The Commission shall have power to ascertain the value of the
2 property of every public utility in this State and every fact which in its judg-
3 ment may or does have any bearing on such value. In making such valuation
4 the Commission may avail itself of any information, books, documents, or rec-
5 ords in the possession of any officer, department or board of the State or any
6 subdivision thereof. The Commission shall have power to make revaluation
7 from time to time and also to ascertain the value of all new construction, ex-
8 tensions, and additions to the property of every public utility.

Sec. 31. The Commission shall charge every public utility receiving per-
2 mission under this Act for the issue of bonds, notes and other evidences of
3 indebtedness an amount equal to ten cents for every hundred dollars of such
4 securities authorized by the Commission, and the same shall be paid into the
5 State treasury before any such securities shall be issued. *Provided* that no
6 public utility shall be required to pay any fee for permission granted to it by
7 the Commission in any of the following cases:

8 (1) To guarantee bonds or other securities.

9 (2) To issue bonds, notes or other evidences of indebtedness issued for the
10 purpose of converting, exchanging, taking over, refunding, discharging or retir-
11 ing any bonds, notes or other evidences of indebtedness except:

12 (a) When issued for an aggregate period of longer than two years for the
13 purpose of converting, exchanging, taking over, refunding, discharging or retir-
14 ing any note, or renewals thereof, issued without the consent of the State Public
15 Utilities Commission of Illinois or the Public Utilities Commission or the Illi-
16 nois Commerce Commission.

17 (b) When issued for the purpose of converting, exchanging, taking over,
18 refunding, discharging or retiring bonds, notes or other evidences of indebted-

19 ness prior to January 1, 1914, and upon which no fee has been previously
20 paid.

ARTICLE IV.

RATES AND SERVICE—ACCIDENTS.

Sec. 32. All rates or other charges made, demanded or received by any
2 public utility, or by any two or more public utilities, for any product or com-
3 modity furnished or to be furnished or for any service rendered or to be ren-
4 dered shall be just and reasonable. Every unjust or unreasonable charge made,
5 demanded or received for such product or commodity or service is hereby pro-
6 hibited and declared unlawful.

7 Every public utility shall furnish, provide and maintain such service, in-
8 strumentalities, equipment and facilities as shall promote the safety, health,
9 comfort and convenience of its patrons, employees, and the public and as shall
10 be in all respects adequate, efficient, just and reasonable.

11 All rules and regulations made by a public utility affecting or pertaining to
12 its charges or service to the public shall be just and reasonable.

Sec. 33. Every public utility shall file with the Commission and shall print
2 and keep open to public inspection schedules showing all rates and other charges,
3 and classifications, which are in force at the time for any product or commodity
4 furnished or to be furnished by it, or for any service performed by it, or for
5 any service in connection therewith, or performed by any public utility controlled
6 or operated by it. Every public utility shall file with and as a part of such
7 schedule and shall state separately all rules, regulations, terminal, icing, storage
8 or other charges, privileges and contracts that in any manner affect the rates
9 charged or to be charged for any service. Such schedule shall be filed for all
10 services performed wholly or partly within this State, and the rates and other
11 charges and classifications shall not, without the consent of the Commission, ex-
12 ceed those in effect on July 1, 1921. But nothing in this section shall prevent the

13 Commission from approving or fixing rates or other charges or classifications from
14 time to time, in excess of or less than those shown by said schedules.

15 Where a schedule of joint rates or other charges, or classifications is or may
16 be in force between two or more public utilities such schedules shall in like
17 manner be printed and filed with the Commission, and so much thereof as the
18 Commission shall deem necessary for the use of the public shall be filed in
19 every station or office of such public utility in accordance with the terms of
20 section 34 of this Act. Unless otherwise ordered by the Commission a schedule
21 showing such joint rates or other charges, or classification need not be filed with
22 the Commission by more than one of the parties to it: Provided, that there is
23 also filed with the Commission a concurrence in such schedule by each of the other
24 parties thereto.

25 Every public utility shall file with the Commission copies of all contracts,
26 agreements or arrangements with other public utilities, in relation to any ser-
27 vice, product or commodity affected by the provisions of this Act, to which it
28 may be a party, and copies of all other contracts, agreements or arrangements
29 with any other person or corporation affecting in the judgment of the Commission
30 the cost to such public utility of any service, product or commodity.

Sec. 34. Subject to such rules and regulations as the Commission may pre-
2 scribe, the schedules referred to in section 33 shall be plainly printed, mimeo-
3 graphed or typewritten in large type, and a copy thereof shall be posted or kept
4 on file in every station or office of a public utility where the public transacts
5 business with such public utility. Any or all of such schedules kept as afore-
6 said shall be immediately produced by such public utility for inspection upon
7 the demand of any person. A notice printed in bold type, in size prescribed by
8 the Commission, stating that such schedules are on file with the agent and open
9 to inspection by any person, and that the agent will assist any person to deter-
10 mine from such schedules any rates or other charges, classification, rules or
11 regulations in force, shall be kept posted by the public utility in two public
12 and conspicuous places in every such station or office. The form of every such

13 schedule shall be prescribed by the Commission and shall conform in the case
14 of common carriers subject to the Act of Congress entitled, "An Act to regu-
15 late commerce," approved February fourth, eighteen hundred and eighty-seven,
16 and the Acts amendatory thereof and supplementary thereto, as nearly as may
17 be, to the form of schedules and manner of posting prescribed by the Interstate
18 Commerce Commission under said Act: Provided, that in lieu of filing the
19 entire schedule in each station or office, any public utility may, subject to the
20 regulations of the Commission, file or keep posted at such station or office,
21 schedules of such rates or other charges, classifications, rules and regulations
22 relating thereto, as are applicable at, to and from the place where such office is
23 located.

24 The Commission may determine and prescribe the form in which the sched-
25 ules required by this Act to be filed with the Commission and to be kept open
26 to public inspection shall be prepared and arranged, and may change the form
27 from time to time if it shall be found expedient: Provided, however, that the
28 Commission shall endeavor to have such form or forms prescribed by it con-
29 form so far as practicable to any similar form or forms prescribed by the Inter-
30 state Commerce Commission.

Sec. 35. No public utility shall undertake to perform any service or to fur-
2 nish any product or commodity unless or until the rates and other charges and
3 classifications, rules and regulations relating thereto, applicable to such service,
4 product or commodity, have been filed and published in accordance with the
5 provisions of this Act: *Provided*, that in cases of emergency, a service, product
6 or commodity not specifically covered by the schedules filed, may be performed
7 or furnished at a reasonable rate, which rate shall forthwith be filed and shall be
8 subject to review in accordance with the provisions of this Act.

Sec. 36. Unless the Commission otherwise orders, no change shall be made
2 by any public utility in any rate or other charge or classification, or in any rule,
3 regulation, practice or contract relating to or affecting any rate or other charge,
4 classification or service, or in any privilege or facility, except after thirty days'

5 notice to the Commission and to the public as herein provided. Such notice shall
6 be given by filing with the Commission and keeping open for public inspection
7 new schedules or supplements stating plainly the change or changes to be made
8 in the schedule or schedules then in force, and the time when the change or
9 changes will go into effect, and by publication in a newspaper of general circu-
10 lation or personal notice or such other notice to persons affected by such change
11 as may be prescribed by rule of the Commission. The Commission, for good cause
12 shown, may allow changes without requiring the 30 days' notice herein provided
13 for, by an order specifying the changes so to be made and the time when they
14 shall take effect, and the manner in which they shall be filed and published.

15 When any change is proposed in any rate or other charge, or classification,
16 or in any rule, regulation, practice, or contract relating to or affecting any rate
17 or other charge, classification or service, or in any privilege or facility, such pro-
18 posed change shall be plainly indicated on the new schedule filed with the Com-
19 mission, by some character to be designated by the Commission, immediately
20 preceding or following the item.

21 No public utility shall increase any rate or other charge, or so alter any clas-
21½ sification, contract, practice, rule or regulation as to result in any increase in
22 any rate or other charge, under any circumstances whatsoever, except upon a
23 showing before the Commission and a finding by the Commission that such in-
24 crease is justified.

25 Whenever there shall be filed with the Commission any schedule stating an
26 individual or joint rate or other charge, classification, contract, practice, rule or
27 regulation, the Commission shall have power, and it is hereby given authority,
28 either upon complaint or upon its own initiative without complaint, at once, and
29 if it so orders, without answer or other formal pleadings by the interested public
30 utility or utilities, but upon reasonable notice, to enter upon a hearing concern-
31 ing the propriety of such rate or other charge, classification, contract, practice,
32 rule or regulation, and pending the hearing and the decision thereon, such rate
33 or other charge, classification, contract, practice, rule or regulation shall not go

34 into effect. The period of suspension of such rate or other charge, classification,
35 contract, practice, rule or regulation shall not extend more than one hundred
36 and twenty days beyond the time when such rate or other charge, classification,
37 contract, practice, rule or regulation would otherwise go into effect unless the
38 Commission, in its discretion, extends the period of suspension for a further
39 period not exceeding six months. On such hearing the Commission shall estab-
40 lish the rates or other charges, classifications, contracts, practices, rules or reg-
41 ulations proposed, in whole or in part, or others in lieu thereof, which it shall
42 find to be just and reasonable. All such rates or other charges, classifications,
43 contracts, practices, rules or regulations not so suspended shall, on the expira-
44 tion of thirty days from the time of filing the same with the Commission, or of
45 such lesser time as the Commission may grant, go into effect and be the estab-
46 lished and effective rates or other charges, classifications, contracts, practices,
47 rules and regulations, subject to the power of the Commission, after a hearing
48 had on its own motion or upon complaint, as herein provided, to alter or mod-
49 ify the same. Within thirty days after such changes have been authorized by the
50 Commission, copies of the new or revised schedules shall be posted or filed in
51 accordance with the terms of section 34 of this Act, in such a manner that all
52 changes shall be plainly indicated.

53 No change of rates or other charges shall be authorized under the terms of
54 this section without thirty days' notice, unless based upon a finding by the Com-
55 mission that an emergency exists and specifying of what it consists; and unless
56 the public utility shall have filed with the secretary of the Commission a bond
57 in such sum and with such security as the Commission shall approve, conditioned
58 for the repayment to all patrons of such sum or sums as shall be collected under
59 such emergency rates or charges in excess of what shall be established as a reas-
60 onable rate or charge for the services in the determination of permanent rates
61 or charges. No emergency rate or charge shall continue in effect for a period of
62 more than thirty days, unless a longer delay shall occur in reaching a final hear-
63 ing and approval of the permanent schedule without the neglect or fault of the

64 public utility, in which case the Commission shall find that fact and may then
65 extend the effective date of such emergency rates or charges a reasonable length
66 of time to complete the hearing on the application for permanent rates or
67 charges.

Sec. 37. Except as in this Act otherwise provided, no public utility shall
2 charge, demand, collect or receive a greater or less or different compensation
3 for any product, or commodity furnished or to be furnished, or for any service
4 rendered or to be rendered, than the rates or other charges applicable to such pro-
5 duct or commodity or service as specified in its schedules on file and in effect at
6 the time, except as provided in section 35, nor shall any such public utility re-
7 fund or remit, directly or indirectly, in any manner or by any device, any por-
8 tion of the rates or other charges so specified, nor extend to any corporation or
9 person any form of contract or agreement or any rule or regulation or any facil-
10 ity or privilege except such as are regularly and uniformly extended to all cor-
11 porations and persons.

Sec. 38. No public utility shall as to rates or other charges, services, fa-
2 cilities or in any other respect, make or grant any preference or advantage
3 to any corporation or person or subject any corporation or person to any preju-
4 dice or disadvantage. No public utility shall establish or maintain any un-
5 reasonable difference as to rates or other charges, services, facilities, or in any
6 other respect, either as between localities or as between classes of service.

7 Every public utility shall, upon reasonable notice, furnish to all persons
8 who may apply therefor and be reasonably entitled thereto, suitable facilities
9 and service, without discrimination and without delay.

Sec. 39. No public utility, or any officer or agent thereof, or any person
2 acting for or employed by it, shall directly or indirectly, by any device or means
3 whatsoever, suffer or permit any corporation or person to obtain any service,
4 commodity, or product at less than the rate or other charge then established
5 and in force as shown by the schedules filed and in effect at the time. No per-

6 son or corporation shall, directly or indirectly, by any device or means whatso-
7 ever, whether with or without the consent or connivance of a public utility or
8 any of its officers, or employees, seek to obtain or obtain any service, commo-
9 dity, or product at less than the rate or other charge then established and in
10 force therefor. Nothing in this Act contained shall be construed to prevent any
11 railroad or transportation company from selling or granting transportation or
12 transportation privileges to the owner or owners of any newspaper or magazine
13 of general circulation in payment of or in exchange for advertising space in such
14 newspaper or magazine, at the full value thereof; and nothing in this Act con-
15 tained shall be construed to prevent the issuance of free or reduced transporta-
16 tion by any street railroad corporation to mail carriers, policemen and mem-
17 bers of fire departments. If prior to June 30, 1913, any real estate or other
18 tangible property shall have been sold or transferred to any public utility or
19 public service corporation, or, if before that date, any obligation of any public
20 utility or public service corporation created in consideration of the transfer to
21 it of any real estate or other tangible property, shall have been released or
22 cancelled, upon consideration in whole or in part of an agreement by such public
23 utility or public service corporation expressed in writing to render any serv-
24 ice, or furnish any commodity or product in the future to the party or parties
25 making such conveyance or transfer or owning such obligation, nothing in this
26 Act contained shall be construed to in any wise affect such agreement or to
27 prevent the performance or enforcement thereof according to its terms, or to
28 authorize the Commission to interfere with such performance or enforcement.

Sec. 39a. Any common carrier engaged in the transportation of persons between
2 points within this State shall, on demand, furnish transportation, free of charge, to the
3 Governor, Lieutenant Governor, Secretary of State, Auditor of Public Accounts, State
4 Treasurer, Superintendent of Public Instruction, Attorney General and Members and
5 Officers of the General Assembly, while traveling to and returning from the seat of
6 government, and while necessarily traveling on official business.

Sec. 40. No common carrier subject to the provisions of this Act shall
2 charge or receive any greater compensation in the aggregate for the transpor-
3 tation of persons or of a like kind of property for a shorter than for a longer
4 distance over the same line or route in the same direction within this State,
5 the shorter being included within the longer distance, or charge any greater
6 compensation as a through rate than the aggregate of the intermediate rates;
7 but this shall not be construed as authorizing any such common carrier to
8 charge or receive as great a compensation for a shorter as for a longer dis-
9 tance or haul. Upon application to the Commission, any common carrier may,
10 in special cases, after investigation, be authorized by the Commission to charge
11 less for a longer than for a shorter distance for the transportation of persons or
12 property, and the Commission may from time to time prescribe the extent to
13 which such carrier may be relieved from the operation and requirements of this
14 section.

15 No telephone or telegraph company subject to the provisions of this Act
16 shall charge or receive any greater compensation in the aggregate for the trans-
17 mission of any long distance message or conversation for a shorter than for a
18 longer distance over the same line or route in the same direction, within the State,
18 the shorter being included within the longer distance, or charge any greater com-
20 pensation for a through service than the aggregate of the intermediate rates or
21 tolls; but this shall not be construed as authorizing any such telephone or tele-
22 graph company to charge and receive as great a compensation for a shorter as
23 for a longer distance. Upon application to the Commission, a telephone or tele-
24 graph company may, in special cases, after investigation, be authorized by the
25 Commission to charge less for a longer than for a shorter distance service for the
26 transmission of messages or conversations, and the Commission may from time to
27 time prescribe the extent to which such telephone or telegraph company may be re-
28 lieved from the operation and requirements of this section.

29 No other public utility shall without the consent of the Commission, charge
30 or receive any greater compensation in the aggregate for a lesser commodity,
31 product, or service than for a greater commodity, product or service of like
32 character. The Commission may require telephone companies to file with it,
33 maps or plats of their lines in this State and schedules showing the direct rout-
34 ing of all messages over their lines between points in this State; and may, upon
35 investigation, fix such rates based upon distance and service.

Sec. 41. Whenever the Commission, after a hearing had upon its own
2 motion or upon complaint, shall find that the rates or other charges, or classifica-
3 tions, or any of them, demanded, observed, charged or collected by any public
4 utility for any service or product or commodity, or in connection therewith, in-
5 cluding the rates or fares for excursion or commutation tickets, or that the rules,
6 regulations, contracts, or practices, or any of them, affecting such rates or other
7 charges, or classifications, or any of them, are unjust, unreasonable, discrimina-
8 tory or preferential, or in any wise in violation of any provisions of law, or that
9 such rates or other charges or classifications are insufficient, the Commission
10 shall determine the just, reasonable or sufficient rates or other charges, classifi-
11 cations, rules, regulations, contracts or practices to be thereafter observed and in
12 force, and shall fix the same by order as hereinafter provided.

13 The Commission shall have power, upon a hearing, had upon its own motion
14 or upon complaint, to investigate a single rate or other charge, classification, rule,
15 regulation, contract or practice, or any number thereof, or the entire schedule or
16 schedules of rates or other charges, classifications, rules, regulations, contracts
17 and practices, or any thereof of any public utility, and to establish new rates or
18 other charges, classifications, rules, regulations, contracts or practices or schedule
19 or schedules, in lieu thereof. Nothing in this section or Act shall be construed
20 to repeal "An Act to establish and regulate the maximum rate of charges for
21 the transportation of passengers by corporations or companies operating or

controlling railroads in part or in whole in this State, and to provide penalties for the violation of the provisions thereof, and repealing all Acts and parts of Acts in conflict therewith," approved May 27, 1907, in force July 1, 1907.

Sec. 42. Whenever the Commission after a hearing had upon its own motion or upon complaint, shall find that the rates or other charges, or classifications in force over two or more common carriers, between any two points in this State, are unjust, unreasonable, or excessive, or that no satisfactory through route or joint rate or other charge, or classification exists between such points, and that the public convenience and necessity demand the establishment of a through route and joint rate or other charge, or classification between such points, the Commission may order such common carriers to establish such through route and may establish and fix a joint rate or other charge, or classification which will be just and reasonable, to be followed, charged, enforced, demanded and collected in the future, and the terms and conditions under which such through route shall be operated. The Commission may order that freight moving between such points shall be carried by the different common carriers, parties to such through route and joint rate, without being transferred from the originating cars. In case the common carriers do not agree upon the division between them of the joint rates or other charges established by the Commission over such through routes, the Commission shall, after hearing, by supplemental order, establish such division. Where any railroad which is made a party to a through route has itself over its own line an equally satisfactory through route between the termini of the through route established, such railroad shall have the right to require as its division of the joint rate or other charge its local rate or other charge over the portion of its lines comprised in such through route, and the Commission may, in its discretion, allow to such railroad more than its local rate or other charge whenever it will be equitable so to do. The shipper shall have the right to route his freight whenever through rate shall have been established either by the Commission or by the common carrier.

27 The Commission shall also have power, after a hearing had upon its own
 28 motion or upon complaint, to order any other public utilities to establish and fix
 29 reasonable and sufficient joint rates or other charges, or classifications. In case
 30 such public utilities do not agree upon the division between them of such joint
 31 rates or other charges the Commission shall, after hearing, establish such divi-
 32 sion by supplemental order.

Sec. 43.* The Commission shall have the power to investigate all existing
 2 or proposed interstate rates or other charges, and classifications, and all rules
 3 and practices in relation thereto, of any public utility, where any act in relation
 4 thereto shall take place within this State; and when the same are in the opinion
 5 of the Commission, excessive or discriminatory or in violation of the Act of Con-
 6 gress entitled, "An Act to regulate commerce," approved February fourth,
 7 eighteen hundred and eighty-seven, and the Acts amendatory thereof and sup-
 8 plementary thereto, or of any other Act of Congress, or in conflict with the rul-
 9 ings, orders or regulations of the Interstate Commerce Commission, the Commis-
 10 sion may apply by petition or otherwise to the Interstate Commerce Commission
 11 or to any court of competent jurisdiction for relief.

Sec. 44. Every common carrier shall afford all reasonable, proper and
 2 equal facilities for the prompt and efficient interchange and transfer of pas-
 3 sengers, tonnage and cars, loaded or empty, between the lines owned, operated,
 4 controlled or leased by it and the lines of every other common carrier, and
 5 shall make such interchange and transfer promptly without discrimination be-
 6 tween shippers, passengers or carriers either as to compensation charged, ser-
 7 vice rendered or facilities afforded. Every railroad company shall receive from
 8 every other railroad company having the same gauge track, at any point of
 9 connection, freight cars of proper standard and in proper condition, and shall
 10 haul the same either to destination, if the destination be upon a line owned,
 11 operated or controlled by such railroad company, or to a point of transfer ac-

12 cording to route billed, if the destination be upon the line of some other rail-
13 road company. But nothing in this Act shall be construed as requiring any com-
14 mon carrier to give the use of its terminal facilities to another common carrier
15 engaged in like business.

16 Every telephone company and telegraph company operating in this State
17 shall receive, transmit and deliver, without discrimination or delay, the conver-
18 sations and messages of every other telephone or telegraph company with which
19 a joint rate has been established or with whose line a physical connection may
20 have been made.

Sec. 45. Every railroad company, upon the application of any corporation
2 or person, being a shipper or receiver or contemplated shipper or receiver of
3 freight, or of any corporation, person, or municipal corporation owning, oper-
4 ating or controlling any wharf or harbor facilities, for a connection between the
5 railroad of such railroad company and any existing or contemplated track,
6 tracks or railroad of such corporation, person or municipal corporation, shall
7 make such connection and provide such switches and tracks as may be necessary
8 for that purpose and deliver and receive cars thereover; provided, that such
9 connection is reasonably practicable and can be installed and used without mate-
10 rially increasing the hazard of the operation of the railroad with which such
11 connection is sought, and that the business which may reasonably be expected to
12 be received by such railroad company over such connection is sufficient to justify
13 the expense of such connection to such railroad company.

14 Under the conditions specified in the above proviso every railroad com-
15 pany, upon the application of any corporation or person, being a shipper or re-
16 ceiver or contemplated shipper or receiver of freight, shall construct upon its
17 right of way a spur or spurs for the purpose of receiving and delivering
18 freight thereby, and shall receive and deliver freight thereby.

19 Whenever the Commission, after a hearing had upon its own motion or
20 upon complaint, shall find that application has been made by any corporation or

21 person to a railroad company for a connection or spur as provided in this sec-
22 tion, and that the railroad company has refused to provide such connection or
23 spur and that the applicant is entitled to have the same provided for him, the
24 Commission shall make an order requiring the providing of such connection or
25 spur and the maintenance and use of the same upon reasonable terms which
26 the Commission shall have the power to prescribe. Whenever any such connec-
27 tion or spur has been so provided, any corporation or person shall be entitled
28 to connect with the track, tracks or railroad thereby connected with the railroad
29 of the railroad company, and to use the same or to use the spur so provided
30 upon payment to the party or parties incurring the primary expenses of such
31 track, tracks or railroad, or the connection therewith or of such spur, of a rea-
32 sonable proportion of the cost thereof to be determined by the Commission after
33 notice to the interested parties and a hearing thereon: Provided, that such
34 connection and use can be made without unreasonable interference with the
35 rights of the party or parties incurring such primary expense. The Commis-
36 sion shall likewise have the power to require one railroad company to switch
37 to private spurs and industrial tracks upon its own railroad the cars of a con-
38 necting railroad company and to prescribe the terms and compensation for such
39 service.

Sec. 46. Whenever the Commission shall find, after a hearing made upon
2 complaint or upon its own motion, that the public convenience and necessity
3 would be subserved by having track connections made, between any two or more
4 railroads or between any two or more street railroads, the Commission shall
5 order any such railroads or street railroads of the same or similar gauge to make
6 physical connection at any and all crossings, and at all points where a railroad
7 shall begin or terminate at or near any other railroad, and at all towns or cities
8 where two or more railroads enter the limits of the same, so that the cars of any
9 such railroad company may be speedily transferred from one railroad to another,
10 and shall order whether the expense thereof shall be borne jointly or otherwise.

Sec. 47. Whenever the Commission, after a hearing had upon its own
2 motion or upon complaint, shall determine that public convenience and necessity
3 require a physical connection for the establishment of a continuous line of com-
4 munication between any two or more public utilities for the conveyance of mes-
5 sages or conversations, the Commission may, by order, require that such con-
6 nection be made. If such public utilities do not agree upon the division between
7 them of the cost of such physical connection or connections, the Commission
8 shall have authority, after further hearing, to establish such division by supple-
9 mental order.

Sec. 48. Whenever the Commission, after a hearing had upon its own
2 motion or upon complaint, shall find that public convenience and necessity re-
3 quire the use by one public utility of the conduits, subways, tracks, wires, poles,
4 pipes or other property or equipment, or any part thereof, on, over or under
5 any street or highway, belonging to another public utility, and that such use will
6 not prevent the owner or other users thereof from performing their public
7 duties nor result in irreparable injury to such owner or other users of such
8 conduits, subways, tracks, wires, poles, pipes or other property or equipment, or
9 in any substantial detriment to the service, and that such public utilities have
10 failed to agree upon such use or the terms and conditions or compensation for the
11 same, the Commission may, by order, direct that such use be permitted and pre-
12 scribe a reasonable compensation and reasonable terms and conditions for such
13 joint use. If such use be directed, the public utility to whom the use is per-
14 mitted shall be liable to the owner or other users of such conduits, subways,
15 tracks, wires, poles, pipes or other property or equipment, for such damage as
16 may result therefrom to the property of such owner or other users thereof.

Sec. 49. Whenever the Commission, after a hearing had upon its own
2 motion or upon complaint, shall find that the rules, regulations, practices, equip-
3 ment, appliances, facilities or service of any public utility, or the methods of
4 manufacture, distribution, transmission, storage, or supply employed by it, are

5 unjust, unreasonable, unsafe, improper, inadequate or insufficient, the Commis-
6 sion shall determine the just, reasonable, safe, proper, adequate or sufficient rules,
7 regulations, practices, equipment, appliances, facilities, service or methods to be
8 observed, furnished, constructed, enforced or employed and shall fix the same by
9 its order, decision, rule or regulation. The Commission shall prescribe rules and
10 regulations for the performance of any service or the furnishing of any com-
11 modity of the character furnished or supplied by any public utility.

Sec. 50. Whenever the Commission, after a hearing had upon its own mo-
2 tion or upon complaint, shall find that additions, extensions, repairs or improve-
3 ments to, or changes in, the existing plant, equipment, apparatus, facilities or
4 other physical property of any public utility or of any two or more public utili-
5 ties ought reasonably to be made, or that a new structure or structures should be
6 erected, to promote the security or convenience of its employees or the public,
7 or in any other way to secure adequate service or facilities, the Commission shall
8 make and serve an order directing that such additions, extensions, repairs, im-
9 provements or changes be made, or such structure or structures be erected in
10 the manner and within the time specified in said order. If any additions, exten-
11 sions, repairs, improvements or changes, or any new structure or structures
12 which the Commission has ordered to be erected, require joint action by two or
13 more public utilities, the Commission shall notify the said public utilities that
14 such additions, extensions, repairs, improvements or changes or new structure or
15 structures have been ordered and that the same shall be made at the joint cost
16 whereupon the said public utilities shall have such reasonable time as the Com-
17 mission may grant within which to agree upon the apportionment or division of
18 cost of such additions, extensions, repairs, improvements or changes or new struc-
19 ture or structures, which each shall bear. If at the expiration of such time such
20 public utilities shall fail to file with the Commission a statement that an agree-
21 ment has been made for a division or apportionment of the cost or expense of

22 such additions, extensions, repairs, improvements or changes, or new structure
23 or structures, the Commission shall have authority, after further hearing, to
24 make an order fixing the proportion of such cost or expense to be borne by each
25 public utility and the manner in which the same shall be paid or secured.

Sec. 51. Whenever the Commission after a hearing had upon its own mo-
2 tion or upon complaint, shall find that any railroad or street railroad company
3 does not run a sufficient number of trains or cars, or possess or operate sufficient
4 motive power, reasonably to accommodate the traffic, passenger, or freight,
5 transported by or offered for transportation to it, or does not run its trains or
6 cars with sufficient frequency or at a reasonable or proper time having regard
7 to safety, or does not stop the same at proper places, or does not run any train
8 or trains, car or cars, upon a reasonable time schedule for the run, the Commis-
9 sion shall have power to make an order directing any such railroad or street rail-
10 road company to increase the number of its trains or of its cars or its motive
11 power or to change the time for starting its trains or cars or to change the time
12 schedule for the run of any train or car, to change the stopping place or places
13 thereof, or to make any other order that the Commission may determine to be
14 reasonably necessary to accommodate and transport the traffic, passenger, or
15 freight, transported or offered for transportation.

Sec. 52. Every railroad company shall, when within its power to do so, and
2 upon reasonable notice, furnish suitable cars to any and all persons who may
3 apply therefor, for the transportation of any and all kinds of freight in carload
4 lots, and shall use reasonable diligence in moving freight and making deliveries
5 thereof. In case of insufficiency of cars at any time to meet all requirements, such
6 cars as are available shall be distributed among the several applicants therefor in
7 proportion to their respective immediate requirements without discrimination
8 between shippers, localities or competitive or non-competitive places: *Provided*,
9 *however*, that preference may be given to shipments of live stock and perishable

10 property. The Commission, after a hearing upon its own motion or upon com-
11 plaint, may issue orders concerning the distribution of cars.

12 The Commission shall have power to fix and establish reasonable rates, rules
13 and regulations regarding demurrage, storage, icing and all other charges inci-
14 dent to the transportation of property, and to fix and establish reasonable
15 switching rules and regulations, and to establish reasonable limits for said
16 switching and reasonable rates therefor; and shall have power to provide proper
17 rules and regulations regarding the time within which all railroads shall furnish
18 after demand therefor, all cars, equipment and facilities necessary for the han-
19 dling of freight, in carload and less than carload lots, the time within which con-
20 signors and persons ordering cars shall load the same, and the time within which
21 consignees and persons to whom freight may be consigned shall unload and dis-
22 charge the same and receive freight from the freight rooms, and to provide
23 penalties to be paid for failure on the part of the railroads, consignor and con-
24 signees to conform to such rules. The Commission shall also have the power to
25 provide the time within which express packages shall be received, gathered,
26 transported and delivered at destination, and the limits within which express
27 packages shall be gathered and distributed and telegraph and telephone messages
28 delivered without extra charge.

29 The Commission shall have power to enforce reasonable regulations for the
30 weighing of cars, and of freight offered for shipment over any line of railroad,
31 and to test the weights made by any railroad and scales used in weighing freight
32 on cars.

Sec. 53. The Commission is authorized to make rules and regulations con-
2 cerning the conditions to be contained in and become a part of contracts for
3 public utility services, and any and all services concerning the same, or con-
4 nected therewith.

5 The Commission shall have authority to prescribe a form of receipt for each
6 shipment by express, also a form of receipt for moneys paid for charges for the
7 transportation by express of any article or thing, to be given upon receipt, or
8 upon the payment of such charges.

9 Upon demand of shipper each receiving or forwarding express company
10 shall be required to furnish a receipt or other evidence in writing, in such form as
11 may be prescribed by or approved by said Commission, stating the quantity,
12 character, weight, order and condition of goods or articles tendered for ship-
13 ment, and said express companies shall in like manner execute and furnish upon
14 demand a receipt for the charges paid on any shipment, which shall cover sub-
15 stantially the following items: Date of shipment, name of consignor, name of
16 connecting line or express company, name or description of each article or pack-
17 age covered by or in such receipt; the graduated scale or rate employed in making
18 the rate or charge on such article or package, separately; the amount of charge
19 on each article or package; the amount of advanced charges (if any); the sum
20 total of charges to be paid by the consignee. And any such express company is
21 hereby prohibited from including in any such receipt for shipments to be made
22 any restriction or evasion of the common law liability of such carrier.

Sec. 54. The Commission shall have power to ascertain, determine and fix
2 for each kind of public utility suitable and convenient standard commercial
3 units of service, product or commodity, which units shall be lawful units for the
4 purposes of this Act; to ascertain, determine and fix adequate and serviceable
5 standards for the measurements of quantity, quality, pressure, initial voltage or
6 other condition pertaining to the performing of its service or to the furnishing of
7 its product or commodity by any public utility, and to prescribe reasonable regu-
8 lations for examining, measuring and testing such service, product or commodity,
9 and to establish reasonable rules, regulations, specifications and standards to
10 secure the accuracy of all meters and appliances for examining, measuring, or
11 testing such service, product or commodity. The Commission may purchase such

12 materials, apparatus and standard measuring instruments as it deems necessary
13 to carry out the provisions of this section.

14 The Commission shall provide for the inspection of the manner in which
15 every public utility conforms to the reasonable regulations prescribed by the
16 Commission for examining, measuring and testing its service, product or com-
17 modity, and the Commission may supplement such inspections by examining,
18 measuring and testing the service, product or commodity of any public utility.
19 Any consumer or user may have tested any appliance for examining, measuring
20 or testing any such service, product or commodity upon payment of the fees
21 fixed by the Commission. The Commission shall declare and establish reasonable
22 fees to be paid for examining and testing such appliances on the request of con-
23 sumers or users, the fee to be paid by the consumer or user at the time of his
24 request, but to be paid by the public utility and repaid to the consumer or user
25 if the measuring appliance be found unreasonably defective or incorrect to the
26 disadvantage of the consumer or user.

27 The Commission, its officers, agents, experts or inspectors and employees
28 shall have power to enter upon any premises occupied by any public utility for the
29 purpose of making the examinations and tests provided in this Act, and to set up
30 and use on such premises, any apparatus and appliances and occupy reasonable
31 space therefor.

32 Rates or charges fixed by the Commission shall be based upon standards
33 established by the Commission for the services, products or commodities to be
34 rendered or furnished in return for the rates or charges so fixed. If the Com-
35 mission shall find upon complaint and after inquiry, investigation or hearing
36 that any public utility is rendering service or furnishing products or commodities
37 below the standards fixed by the Commission it shall forthwith order that the
38 standards so fixed be established or maintained, and in default of obedience to
39 such order may take such action as may be proper to adjust the rates or charges
40 to the service actually rendered or the products or commodities actually fur-
41 nished.

Sec. 55. No public utility shall begin the construction of any new plant,
2 equipment, property or facility which is not in substitution of any existing plant,
3 equipment, property or facility or in extension thereof or in addition thereto,
4 unless and until it shall have obtained from the Commission a certificate that
5 public convenience and necessity require such construction.

6 No public utility not owning any city or village franchise nor engaged in
7 performing any public service or in furnishing any product or commodity within
8 this State and not possessing a certificate of public convenience and necessity
9 from the State Public Utilities Commission or the Public Utilities Commis-
9¹ sion, at the time this Act goes into effect shall transact any business in this
10 State until it shall have obtained a certificate from the Commission that public
10¹ convenience and necessity require the transaction of such business.

11 Whenever after a hearing the Commission determines that any new con-
12 struction or the transaction of any business by a public utility will promote the
13 public convenience and is necessary thereto it shall have the power to issue certi-
14 ficates of public convenience and necessity.

15 Such certificates may be altered, modified or annulled by the Commission,
16 upon its own motion or upon application by the person or corporation affected.
17 Unless exercised within a period of two years from the grant thereof authority
18 conferred by a certificate of convenience and necessity issued by the Commis-
19 sion shall be null and void.

20 It shall be the duty of the Commission to determine whether public utilities
21 are rendering adequate service, and in case adequate service is not being rend-
22 ered to grant certificates of public convenience and necessity to other utilities or
23 proposed utilities, or to take such other steps as may be authorized by this Act.
24 No certificate of public convenience and necessity shall be construed as granting a
25 monopoly or an exclusive privilege, immunity or franchise.

Sec. 56. Every public utility shall file with the Commission, under such
2 rules and regulations as the Commission may prescribe, a report of every acci-
3 dent occurring, or that may occur, to or on its plant, equipment, or other prop-
4 erty of such a nature as to endanger the safety, health or property of any per-

5 son: Whenever any accident occasions the loss of life or limb to any person, such
 6 public utility shall immediately give notice to the Commission of the fact by the
 7 speediest means of communication, whether telephone, telegraph or post.

8 The Commission shall investigate all accidents occurring within this State
 9 upon the property of any public utility or directly or indirectly arising from or
 10 connected with its maintenance or operation, resulting in loss of life or injury to
 11 person or property and requiring, in the judgment of the Commission, investiga-
 12 tion by it, and shall have the power to make such order or recommendation with
 13 respect thereto as in its judgment may seem just and reasonable. Neither the
 14 order or recommendation of the Commission nor any accident report filed with
 15 the Commission shall be admitted in evidence in any action for damages based
 16 on or arising out of the loss of life, or injury to person or property, in this sec-
 17 tion referred to.

Sec. 57. The Commission shall have power, after a hearing and upon its
 2 own motion, or upon complaint, by general or special orders, rules or regula-
 3 tions, or otherwise, to require every public utility to maintain and operate its
 4 plant, equipment or other property in such manner as to promote and safe-
 5 guard the health and safety of its employees, passengers, customers, and the
 6 public, and to this end to prescribe, among other things, the installation, use,
 7 maintenance and operation of appropriate safety or other devices or appli-
 8 ances, including interlocking and other protective devices at grade crossings or
 9 junctions and block or other systems of signalling, to establish uniform or
 10 other standards of equipment, and to require the performance of any other
 11 act which the health or safety of its employees, passengers, customers or the pub-
 12 lic may demand.

13 Whenever it shall come to the knowledge of the Commission that the equip-
 14 ment or appliances, or the apparatus, track, bridges, trestles or other structures
 15 of any common carrier are out of repair or in an unsafe condition, it shall,
 16 after an investigation, give notice in writing to the common carrier of the im-
 17 provements and changes deemed necessary to place the same in a safe condition,

18 and shall recommend to the common carrier that it make such repairs, changes,
19 improvements or new constructions as the Commission shall deem necessary to
20 the safety of persons and property being transported thereon. The Commis-
21 sion shall give such common carrier an opportunity for a full hearing, and un-
22 less the common carrier shall satisfy the Commission that no action is required
23 to be taken with respect to any or all of such matters the Commission shall
24 fix a time within which repairs, changes, improvements or new constructions
25 deemed by it necessary shall be made. The Commission may also prescribe
26 the rate of speed for trains or cars passing over defective tracks, bridges, tres-
27 tles or other structures until repairs or new constructions required are made;
28 and may, if, in its opinion, it is needful or proper, forbid the running of trains
29 or cars over any defective track, bridge, trestle or other structure until the same
30 be repaired and placed in a safe condition.

Sec. 58. No public road, highway, or street shall hereafter be constructed
2 across the track of any railroad company at grade, nor shall the track of any
3 railroad company be constructed across a public road, highway or street at
4 grade, nor shall the track of any railroad company be constructed across the
5 track of any other railroad or street railroad company at grade, nor shall the
6 track of a street railroad company be constructed across the track of a rail-
7 road company at grade, without having first secured the permission of the
8 Commission: Provided, that this section shall not apply to the replacement of
9 lawfully existing roads, highways and tracks. The Commission shall have the
10 right to refuse its permission or to grant it upon such terms and conditions as
11 it may prescribe. The Commission shall have power to determine and prescribe
12 the manner, including the particular point of crossing, and the terms of installa-
13 tion, operation, maintenance, use and protection of each such grade crossing.

14 The Commission shall also have power, after a hearing, to alter or abolish
15 any grade crossing, heretofore or hereafter established, when in its opinion the
16 public safety requires such alteration or abolition; or to require a separation

17 of grades at such crossing; or to require a separation of grades at any pro-
18 posed crossing where a proposed public highway may cross the tracks of any
19 railroad or railroads; and to prescribe, after a hearing of the parties, the terms
20 upon which such separation shall be made and the proportion in which the ex-
21 pense of the alteration or abolition of such crossings or the separation of such
22 grades shall be divided between the railroad or street railroad companies
23 affected, or between such companies and the State, county, municipality or
24 other public authority in interest: Provided, that nothing in this Act shall be
25 construed to repeal "An Act in relation to the crossing of one railroad by an-
26 other," approved May 25, 1907, in force July 1, 1907.

27 The Commission shall also have power by its order to require the recon-
28 struction, alteration, relocation or improvement of any crossing (including the
29 necessary highway approaches thereto) of any railroad across any highway
30 or public road, whether such crossing be at grade or by overhead structure or
31 by subway, whenever the Commission finds after a hearing that such recon-
32 struction, alteration, relocation or improvement is necessary to preserve or pro-
33 mote the safety of the public or of the employees or passengers of such railroad.
34 By its original order or supplemental orders in such case, the Commission may
35 direct such reconstruction, alteration, relocation or improvement to be made in
36 such manner and upon such terms and conditions as may be reasonable and
37 necessary and may apportion the cost of such reconstruction, alteration, reloca-
38 tion or improvement between the railroad company or companies and other
39 public utilities affected, or between such company or companies and other public
40 utilities and the State, county, municipality, or other public authority in interest.
41 The cost to be so apportioned shall include the cost of changes or alterations in
42 the equipment of other public utilities affected as well as the cost of the reloca-
43 tion, diversion or establishment of any public highway, made necessary by such
44 reconstruction, alteration, relocation or improvement of said crossing.

45 Whenever the Commission, after a hearing, shall find it necessary for the
46 reconstruction, alteration, relocation or improvement of any such crossing or its

47 necessary approaches as aforesaid, or for the abolishment of any such crossing,
48 to relocate, divert, or establish any highway or public road, or to acquire addi-
49 tional property for any such purpose, it may direct the railroad company or
50 companies to acquire, and the railroad company or companies shall acquire, the
51 necessary additional property for such purposes by purchase or, when the price
52 to be paid can not be agreed upon with the owner thereof, in the manner pro-
53 vided by the law of eminent domain; or the Commission may certify such find-
54 ing to the highway commissioners of the town or road district concerned. Every
55 railroad company operating in the State of Illinois shall construct and maintain
56 every highway grade crossing over its tracks within the State so that the road-
57 way at the intersection shall be flush with the rails, and, unless otherwise
58 ordered by the Commission, shall construct and maintain the approaches thereto
59 at a grade of not more than five (5) per cent within the right of way for a
60 distance of not less than twenty-five (25) feet on each side of such tracks;
61 provided that the grades at the approaches may be maintained in excess of five
62 (5) per cent only when authorized by the Commission.

63 Every railroad operating within the State of Illinois shall remove from its
64 right of way at all grade crossings within the State, all brush, shrubbery and
65 trees for a distance of not less than five hundred (500) feet in either direction
66 from each grade crossing.

67 Every railroad operating within the State of Illinois shall maintain in a
68 conspicuous place at every grade crossing on its lines in this State outside of
69 cities on both sides of the tracks except when otherwise ordered and at
70 such points as directed by the Illinois Commerce Commission within the right
71 of way of such railroad, at grade crossings not designated as extra hazard-
72 ous by the Commission such standard signs as the Illinois Commerce Com-
73 mission shall determine.

74 At all such grade crossings in the State as may be designated by the Com-
75 mission as extra hazardous, but at no others, every railroad operating within
76 the State of Illinois shall, within thirty days after the issuance of an order by

77 the Illinois Commerce Commission directing it so to do, erect and thereafter
 78 maintain such standard stop signs as said Commission shall determine are
 79 necessary, provided that no such sign shall be ordered or permitted by the
 80 Commission where there is a clear view from the highway of approaching
 81 trains on such railroad tracks for at least five hundred (500) feet in each
 82 direction from the crossing at all points on the highway within a distance of two
 83 hundred (200) feet of such crossing. The Commission shall have power to require
 84 such signs to be lighted at night or to be accompanied by red warning lights
 85 whenever in the opinion of the Commission such additional precautions are rea-
 86 sonably necessary for the public safety.

87 Any person who unlawfully removes, throws down, injures or defaces any
 88 sign required in this section, shall be liable to a fine of not less than ten dol-
 89 lars (\$10.00) nor more than one hundred dollars (\$100.00) for each offense.

Sec. 59. When necessary for the construction of any alterations, additions,
 2 extensions or improvements ordered or authorized under sections 50 or 58 or
 3 subdivision (a) of section 81 of this Act, any public utility may enter upon, take
 4 or damage private property in the manner provided for by the law of eminent
 5 domain.

ARTICLE V.

PROCEEDINGS BEFORE THE COMMISSION AND IN THE COURTS.

Sec. 60. The Commission, or any commissioner, assistant commissioner, or
 2 officer of the Commission designated by the Commission, shall have power to hold
 3 investigations, inquiries and hearings concerning any matters covered by the pro-
 4 visions of this Act, or by any other Acts relating to public utilities subject to such
 5 rules and regulations as the Commission may establish. In the conduct of any
 6 investigation, inquiry or hearing neither the Commission nor any commissioner,
 7 assistant commissioner or officer of the Commission shall be bound by the tech-
 8 nical rules of evidence, and no informality in any proceeding or in the man-
 9 ner of taking testimony before the Commission, any commissioner, assistant
 9½ commissioner or an officer of the Commission shall invalidate any order,

10 decision, rule or regulation made, approved, or confirmed by the Commission.

11 All hearings conducted by the Commission shall be open to the public.

12 Each commissioner, each assistant commissioner, the secretary of the Com-
13 mission, and every officer of the Commission designated by it to hold any inquiry,
14 investigation or hearing, shall have the power to administer oaths and affirma-
15 tions, certify to all official acts, issue subpoenas, compel the attendance and testi-
16 mony of witnesses, and the production of papers, books, accounts and documents.

17 Hearings shall be held either by the Commission or by one or more com-
18 missioners, or assistant commissioners. All evidence presented at hearings held
19 by the Commission or under its authority shall become a part of the records of
20 the Commission. In all cases in which the Commission bases any action on
21 reports of investigations or inquiries not conducted as hearings, such reports
22 shall be made a part of the records of the Commission.

23 The Commission may designate any assistant commissioner, or any other
24 person, to make any investigation or complaint under the provisions of this
25 Act, and conduct the same as a prosecutor.

Sec. 61. No person shall be excused from testifying or from producing any
2 papers, books, accounts or documents in any investigation or inquiry or upon
3 any hearing ordered by the Commission, when ordered to do so by the Commis-
4 sion or any commissioner, assistant commissioner, or officer of the Commission,
5 upon the ground that the testimony or evidence, documentary or otherwise, may
6 tend to incriminate him or subject him to a penalty or forfeiture. But no per-
7 son shall be prosecuted or subjected to any penalty or forfeiture for or on ac-
8 count of any transaction, matter or thing concerning which he may testify or
9 produce evidence, documentary or otherwise, before the Commission or a com-
10 missioner, assistant commissioner, or an officer of the Commission: *Provided,*
11 that such immunity shall extend only to a natural person, who in obedience to
12 a subpoena, gives testimony under oath or produces evidence, documentary or
13 otherwise under oath. No person so testifying shall be exempt from prosecution
14 and punishment for perjury committed in so testifying.

Sec. 62. All subpoenas issued under the terms of this Act may be served by
2 any person of full age. The fees of witnesses for attendance and travel shall be
3 the same as fees of witnesses before the circuit courts of this State, such fees to
4 be paid when the witness is excused from further attendance, when the witness is
5 subpoenaed at the instance of the Commission or any commissioner or assistant
6 commissioner; and the disbursements made in the payment of such fees shall be
7 audited and paid in the same manner as are other expenses of the Commission.
8 Whenever a subpoena is issued at the instance of a complainant, respondent, or
9 other party to any proceeding before the Commission, the Commission may re-
10 quire that the cost of service thereof and the fee of the witness shall be borne by
11 the party at whose instance the witness is summoned, and the Commission shall
12 have power, in its discretion, to require a deposit to cover the cost of such serv-
13 ice and witness fees and the payment of the legal witness fee and mileage to the
14 witness when served with subpoena. A subpoena issued as aforesaid shall be
15 served in the same manner as a subpoena issued out of a court of record.

16 Any person who shall be served with a subpoena to appear and testify, or to
17 produce books, papers, accounts or documents, issued by the Commission or by
18 any commissioner, assistant commissioner or officer of the Commission, in the
19 course of an inquiry, investigation or hearing conducted under any of the provis-
20 ions of this Act, and who shall refuse or neglect to appear, or to testify, or to pro-
21 duce books, papers, accounts and documents relevant to said inquiry, investiga-
22 tion or hearing as commanded in such subpoena, shall be guilty of a misdemeanor.

23 Any circuit court of this State, or any judge thereof, either in term time or
24 vacation, upon application of the Commission, or a commissioner, assistant com-
25 missioner or officer of the Commission, may, in his discretion, compel the attend-
26 ance of witnesses, the production of books, papers, accounts and documents, and
27 the giving of testimony before the Commission, or before any such commissioner,
28 assistant commissioner, or officer, by an attachment for contempt or otherwise, in
29 the same manner as production of evidence may be compelled before said court.

30 The Commission or a commissioner, assistant commissioner, or officer of the

31 Commission or any party may in any investigation or hearing before the Com-
32 mission, cause the deposition of witnesses residing within or without the State to
33 be taken in the manner prescribed by law for like depositions in civil actions in
34 the courts of this State and to that end may compel the attendance of witnesses
35 and the production of papers, books, accounts and documents.

36 The Commission may require, by order served on any public utility in the
37 manner provided herein for the service of orders, the production within this
38 State at such time and place as it may designate, of any books, accounts, papers
39 or documents kept by any public utility operating within this State in any office
40 or place without this State, or, at its option, verified copies in lieu thereof, so that
41 an examination thereof may be made by the Commission or under its direction.

Sec. 63. The Commission, each commissioner, assistant commissioner and
2 each officer and employee of the Commission properly authorized thereby shall
3 have the right, at any and all times to inspect the papers, books, accounts and
4 documents, plant, equipment or other property of any public utility, and the
5 Commission, each commissioner, assistant commissioner, and any officer of the
6 Commission authorized to administer oaths shall have power to examine under
7 oath any officer, agent or employee of such public utility in relation to any matter
8 within the jurisdiction of the Commission. A person other than a commissioner,
8½ or assistant commissioner demanding such inspection shall produce under the
9 seal of the Commission his authority to make such inspection. A written record
10 of the testimony or statement so given under oath shall be made and filed with
11 the Commission. Information so obtained shall not be admitted in evidence or
12 used in any proceeding except in proceedings provided for in this Act.

13 Any party to a proceeding before the Commission shall have the right to
14 inspect the records of all hearings, investigations or inquiries conducted by or
15 under the authority of the Commission, which may relate to the issues involved
16 in such proceeding; and to submit suggestions as to other matters to be investi-
17 gated or as to questions to be propounded. If the Commission is satisfied that
18 such suggested investigation should be made or such suggested questions an-

19 swered, and that the information desired is within the power of either party to
20 furnish, it shall enter an order requiring the investigation to be made or the
21 questions to be answered, and upon failure or refusal to comply with such order,
22 the Commission shall either refuse to grant the relief prayed for by the party
23 refusing to comply, or may grant the relief prayed for by the opposing party
24 against the party refusing to comply.

Sec. 64. Complaint may be made by the Commission, of its own motion or
2 by any person or corporation, chamber of commerce, board of trade, or any in-
3 dustrial, commercial, mercantile, agricultural or manufacturing society, or any
4 body politic or municipal corporation by petition or complaint in writing, set-
5 ting forth any act or things done or omitted to be done in violation, or claimed
6 to be in violation, of any provision of this Act, or of any order or rule of the
7 Commission. In the discretion of the Commission, matters presented by one
8 complaint may be ordered separated, and matters upon which complaint may be
9 founded may be joined. No objection shall be sustained to a separation
10 merely because the matters separated are under the ownership, con-
11 trol or management of the same person or corporation. No com-
12 plaint shall be dismissed because of the absence of direct damage to
13 the complainant.

14 Upon the filing of a complaint the Commission shall cause a copy thereof to
15 be served upon the person or corporation complained of which shall be accom-
16 panied by a notice requiring that the complaint be satisfied and answered within
17 a reasonable time to be specified by the Commission, or within the discretion of
18 the Commission, by a notice fixing a time when and place where a hearing will
19 be had upon such complaint. Notice of the time and place shall also be given to
20 the complainant and to such other persons as the Commission shall deem neces-
21 sary. The Commission shall have authority to hear and investigate any com-
22 plaint notwithstanding the fact that the person or corporation complained of
23 may have satisfied the complaint.

24 The time fixed for such hearing shall not be less than ten days after the date
25 of the service of such notice and complaint except as herein provided. Service
26 in all hearings, investigations, and proceedings before the Commission may be
27 made upon any person upon whom a summons may be served in accord-
28 ance with the provisions of "An Act in relation to practice and procedure
29 in courts of record," approved June 3, 1907, in force July 1, 1907, and may be
30 made personally or by mailing same in the United States mail in a sealed enve-
31 lope, registered, with postage prepaid. The provisions of this section as to no-
32 tice shall apply to all hearings held by the Commission or under its authority.

33 Any public utility shall have a right to complain on any of the grounds upon
34 which complaints are allowed to be filed by other parties, and the same proced-
35 ure shall be adopted and followed as in other cases.

36 All cities shall have power to appear as complainants or to make applica-
37 tion before the Illinois Commerce Commission for an inquiry, investigation or
38 hearing relating to the rates or other charges or services of public utilities
39 within such city; and in case of any inquiry, investigation or hearing by or be-
40 fore the Illinois Commerce Commission on any matter relating to the rates or
41 other charges or services within any city, the city shall receive written notice
42 not less than ten days before such inquiry, investigation or hearing, and shall
43 be entitled to appear and present evidence relating to the subject matter of such
44 inquiry, investigation or hearing. Such notice shall be served upon the city
45 clerk, and upon the city attorney or head of the law department of the city..

Sec. 65. At the time fixed for any hearing upon a complaint, the complain-
2 ant and the person or corporation complained of, and such persons or corpora-
3 tions as the Commission may allow to intervene, shall be entitled to be heard
4 and to introduce evidence. The Commission shall issue process to enforce the
5 attendance of all necessary witnesses. At the conclusion of such hearing the Com-
6 mission shall make and render findings concerning the subject-matter and facts
7 inquired into and enter its order based thereon. A copy of such order, certified
8 under the seal of the Commission, shall be served upon the person or corpora-

9 tion complained of, or his or its attorney, which order shall, of its own force,
10 take effect and become operative twenty days after the service thereof, except
11 as otherwise provided, and shall continue in force either for a period which may
12 be designated therein or until changed or abrogated by the Commission. Where
13 an order cannot, in the judgment of the Commission, be complied with within
14 twenty days, the Commission may prescribe such additional time as in its judg-
15 ment is reasonably necessary to comply with the order, and may, on application
16 and for good cause shown, extend the time for compliance fixed in its order. A
17 full and complete record shall be preserved of all proceedings had before the
18 Commission, or any member thereof, or any assistant commissioner, on any for-
19 mal hearing had, and all testimony shall be taken down by a stenographer ap-
20 pointed by the Commission, and the parties shall be entitled to be heard in per-
20½ son or by attorney.

21 In case of an appeal from any order or decision of the Commission, under
22 the terms of sections 68 and 69 of this Act, a transcript of such testimony, to-
23 gether with all exhibits or copies thereof introduced and all information secured
24 by the Commission on its own initiative and considered by it in rendering its
25 order or decision (and required by this Act to be made a part of its records)
26 and of the pleadings, records and proceedings in the case, shall constitute the
27 record of the Commission: *Provided*, that on appeal from an order or decision
28 of the Commission, the person or corporation taking the appeal and the Com-
29 mission may stipulate that a certain question or certain questions alone and a
30 specified portion only of the evidence shall be certified to the court for its judg-
31 ment, whereupon such stipulation and the question or questions and the evi-
32 dence therein specified shall constitute the record on appeal.

33 Copies of all official documents and orders filed or deposited according to
34 law in the office of the Commission, certified by a commissioner or by the secre-
35 tary of the Commission to be true copies of the originals, under the official seal
36 of the Commission, shall be evidence in like manner as the originals.

37 In any matter concerning which the Commission is authorized to hold a
38 hearing, upon complaint or application or upon its own motion, notice shall be

39 given to the public utility and to such other interested persons as the Commis-
40 sion shall deem necessary in the manner provided in the preceding section, and
41 the hearing shall be conducted in like manner as if complaint had been made to
42 or by the Commission. But nothing in this Act shall be taken to limit or restrict
43 the power of the Commission, summarily, of its own motion, with or without no-
44 tice, to conduct any investigations or inquiries authorized by this Act, in such
45 manner and by such means as it may deem proper, and to take such action as it
46 may deem necessary in connection therewith. With respect to any rules, regula-
47 tions, decisions or orders which the Commission is authorized to issue without a
48 hearing, and so issues, any public utility or other person or corporation affected
49 thereby and deeming such rules, regulations, decisions or orders, or any of them,
50 improper, unreasonable or contrary to law, may apply for a hearing thereon,
51 setting forth specifically in such application every ground of objection which
52 the applicant desires to urge against such rule, regulation, decision or order.
53 The Commission may, in its discretion, grant or deny the application, and a
54 hearing, if had, shall be subject to the provisions of this and the preceding sec-
55 tions.

Sec. 66. Every order of the Commission shall be served upon every person
2 or corporation to be affected thereby, either by personal delivery of a certified
3 copy thereof, or by mailing in the United States mail a certified copy thereof, in
4 a sealed package with postage prepaid, to the person to be affected thereby or in
5 the case of a corporation, to any officer or agent thereof upon whom a summons
6 of a court of record may be served in an action at law. It shall be the duty of
7 every person and corporation to notify the Commission forthwith, in writing, of
8 the receipt of the certified copy of every order so served, and in the case of a cor-
9 poration such notification must be signed and acknowledged by a person or officer
10 duly authorized by the corporation to admit such service. Within a time speci-
11 fied in the order of the Commission every person and corporation upon whom it
12 is served must, if so required in the order, notify the Commission in like manner
13 whether the terms of the order are accepted and will be obeyed.

Sec. 67. The Commission may at any time, upon notice to the public utility
2 affected, and after opportunity to be heard as provided in the case of complaints,
3 rescind, alter or amend any rule, regulation, order or decision made by it. Any
4 order rescinding, altering or amending a prior rule, regulation, order or decision
5 shall, when served upon the public utility affected, have the same effect as is
6 herein provided for original rules, regulations, orders or decisions.

7 After any rule, regulation, order or decision has been made by the Commis-
8 sion, any party to the action or proceeding, or any stockholder or bondholder or
9 other party pecuniarily interested in the public utility affected, or any person
10 affected by such rule, regulation, order or decision, may apply for a rehearing in
11 respect to any matters determined in said action or proceeding and specified in
12 the application for rehearing, and the Commission may grant and hold such re-
13 hearing on said matters, if in its judgment sufficient reason therefor be made to
14 appear. An application for rehearing shall not excuse any corporation or
15 person from complying with and obeying any rule, regulation, order or decision
16 or any requirement of any rule, regulation, order or decision of the Commission
17 theretofore made, or operate in any manner to say or postpone the enforcement
18 thereof, except in such cases and upon such terms as the Commission may by
19 order direct. If, after such rehearing and consideration of all the facts, includ-
20 ing those arising since the making of the rule, regulation, order or decision, the
21 Commission shall be of the opinion that the original rule, regulation, order or de-
22 cision or any part thereof is in any respect unjust or unwarranted, or should be
23 changed, the Commission may rescind, alter or amend the same. A rule, regu-
24 lation, order or decision made after such rehearing, rescinding, altering or
25 amending the original rule, regulation, order or decision shall have the same
26 force and effect as an original rule, regulation, order or decision, but shall not
27 affect any right or the enforcement of any right arising from or by virtue of the
28 original rule, regulation, order or decision unless so ordered by the Commission.
29 Only one rehearing shall be granted by the Commission; but this shall not be
30 construed to prevent any party from filing a petition setting up a new and dif-

31 ferent state of facts after two years, and invoking the action of the Commission
32 thereon.

Sec. 68. Within thirty days after the service of any order or decision of
2 the Commission made after a final hearing or within thirty days after a hearing
3 or refusal of a hearing upon any rule, regulation, order or decision which the
4 Commission is authorized to issue without a hearing and has so issued, any
5 person or corporation affected by such rule, regulation, order or decision may
6 appeal to the circuit or superior court of the county in which the
7 subject matter of the complaint is situated, or if the subject matter
7a of the complaint is situated in more than one county, then in any
7b one of such counties for the purpose of having the reasonableness or law-
8 fulness of the rule, regulation, order or decision inquired into and determined.
9 No proceeding to contest any rule, regulation, decision or order which the Com-
10 mission is authorized to issue without a hearing and has so issued shall be
11 brought in any court unless application shall have been first made to the Com-
12 mission for a hearing thereon and until after such application has been acted
13 upon by the Commission, nor shall any person or corporation in any court
14 urge or rely upon any grounds not set forth in such application for a hearing
15 before the Commission, but the Commission shall decide the questions pre-
16 sented by said application with all possible expedition consistent with the duties
17 of the Commission. The party taking such an appeal shall file with the secre-
18 tary of the Commission written notice of said appeal. The Commission, upon
19 the filing of such notice of appeal, shall, within five days thereafter, file with
20 the clerk of the circuit or superior court to which such appeal is taken a cer-
21 tified copy of the order appealed from and within ten days thereafter the record
22 provided for in section 65. The party serving such notice of appeal shall,
23 within five days after the service of such notice upon the Commission, file a copy
24 of said notice, with proof of service, with the clerk of said court to which such
25 appeal is taken, and thereupon said circuit or superior court shall have juris-
26 diction over said appeal and the same shall be entered upon the records of said

27 circuit or superior court and shall be tried therein without formal pleadings,
28 but otherwise according to the rules relating to the trial of chancery suits, so
29 far as the same are applicable.

30 A circuit or superior court in which any such appeal is taken shall have
31 the power, and it shall be its duty, in term time or vacation, to hear and de-
32 termine such appeal with all convenient speed. No new or additional evidence
33 may be introduced in any proceeding upon appeal from a rule, regulation, order
34 or decision of the Commission, issued or confirmed after a hearing, but the
35 appeal shall be heard on the record of the Commission as certified to by it. The
36 findings and conclusions of the Commission on questions of fact shall be held
37 *prima facie* to be true and as found by the Commission; and a rule, regulation,
38 order or decision of the Commission shall not be set aside unless it clearly
39 appears that the finding of the Commission was against the manifest weight
40 of the evidence presented to or before the Commission for and against such
41 rule, regulation, order or decision, or that the same was without the jurisdic-
42 tion of the Commission. If it appears that the Commission failed to receive
43 evidence properly proffered, on a hearing or a rehearing, or on application
44 therefor, the court shall remand the case to the Commission with instructions
45 to receive the testimony so proffered and rejected, and to enter a new order
46 based upon the evidence theretofore taken, and such new evidence as it is directed
47 to receive, unless it shall appear that such new evidence would not be con-
48 trolling, in which case the court shall so find in its orders. Rules, regulations,
49 orders or decisions of the Commission shall be held to be *prima facie* reason-
50 able, and the burden of proof upon all issues raised by the appeal shall be upon
51 the person or corporation appealing from such rules, regulations, orders or
52 decisions.

53 When no appeal is taken from a rule, regulation, order or decision of the
54 Commission, as herein provided, parties affected by such rule, regulation, order
55 or decision, shall be deemed to have waived the right to have the merits of said
56 controversy reviewed by a court and there shall be no trial of the merits of

57 any controversy in which such rule, regulation, order or decision was made, by
58 any court to which application may be made for a writ to enforce the same, or in
59 any other judicial proceeding.

Sec. 69. Appeals from all final orders and judgments entered by the said
2 circuit or superior court, in review of rules, regulations, orders or decisions of
3 the Commission, may be taken directly to the Supreme Court by either party to
4 the action, within sixty days after service of a copy of the order or judgment of
5 said circuit or superior court, and shall be governed by the rules applying to
6 chancery cases appealed to said Supreme Court, except that formal pleadings
7 shall not be required.

Sec. 70. Any proceeding in any court in this State directly affecting a rule,
2 regulation, order or decision of the Commission, or to which the Commission is
3 a party, shall have priority in hearing and determination over all other civil pro-
4 ceedings pending in such court, excepting election contests.

Sec. 71. The pendency of an appeal shall not of itself stay or suspend the
2 operation of the rule, regulation, order or decision of the Commission, but dur-
3 ing the pendency of such appeal the circuit or superior court, or the Supreme
4 Court, as the case may be, in its discretion may stay or suspend, in whole or in
5 part, the operation of the Commission's rule, regulation, order or decision.

6 No order so staying or suspending a rule, regulation, order or decision of
7 the Commission shall be made by the court otherwise than upon three days' no-
8 tice to the Commission and after a hearing, and if the rule, regulation, order or
9 decision of the Commission is suspended, the order suspending the same shall
10 contain a specific finding based upon evidence submitted to the court, and iden-
11 tified by reference thereto, that great or irreparable damage would otherwise
12 result to the petitioner, and specifying the nature of the damages.

13 When any rate or other charge has been in force for any length of time ex-
14 ceeding one year, and such rate or other charge is advanced by the public utility

15 and the order of the Commission reinstates such prior rate or other charge, in
16 whole or in part, no suspending order shall be allowed in any case from such
17 order pending the final determination of the case in the circuit or superior
18 court, or if appealed to the Supreme Court by such Supreme Court.

19 In case the rule, regulation, order or decision of the Commission is stayed
20 or suspended, the order of the court shall not become effective until a suspend-
21 ing bond shall first have been executed and filed with, and approved by the Com-
22 mission (or approved, on review, by the court) payable to the people of the
23 State of Illinois, and sufficient on amount and security to insure the prompt pay-
24 ment, by the party petitioning for the review, of all damages caused by the de-
25 lay in the enforcement of the rule, regulation, order or decision of the Commis-
26 sion, and of all moneys which any person or corporation may be compelled to
27 pay, pending the review proceedings, for transportation, transmission, product,
28 commodity, or service in excess of the charges fixed by the rule, regulation, or-
29 der or decision of the Commission, in case said rule, regulation, order or deci-
30 sion is sustained. However, no bond shall be required in the case of
31 any stay or suspension granted on the application, of the state, or of
32 any city or other governmental body. The court, in case it stays or sus-
33 pends the rule, regulation, order or decision of the Commission in any manner af-
34 fecting rates or other charges or classifications, may, in its discretion, also by
35 order direct the public utility affected to pay into court, from time to time,
36 thereto to be impounded until the final decision of the case or into some bank or
37 trust company paying interest on deposits, under such conditions as the court may
38 prescribe, all sums of money which it may collect from any corporation or per-
39 son in excess of the sum such corporation or person would have been compelled
40 to pay if the rule, regulation, order or decision of the Commission had not been
41 stayed or suspended.

Sec. 72. When complaint has been made to the Commission concerning any
2 rate or other charge of any public utility and the Commission has found, after
3 a hearing, that the public utility has charged an excessive or unjustly discrimi-

4 natory amount for its product, commodity or service, the Commission may order
5 that the public utility make due reparation to the complaint therefor, with
6 interest at the legal rate from the date of payment of such excessive or unjustly
7 discriminatory amount.

8 If the public utility does not comply with an order of the Commission for
9 the payment of money within the time fixed in such order, the complainant, or
10 any person for whose benefit such order was made, may file in any court of com-
11 petent jurisdiction a petition setting forth briefly the causes for which he claims
12 damages and the order of the Commission in the premises. Such suit shall pro-
13 ceed in all respects like other civil suits for damages, except that on the trial of
14 such suit the order of the Commission shall be *prima facie* evidence of the facts
15 therein stated. If the petitioner shall finally prevail he shall be allowed a
16 reasonable attorney's fee to be taxed and collected as a part of the costs of the
17 action.

18 All complaints for the recovery of damages shall be filed with the Commis-
19 sion within two years from the time the product, commodity or service as to
20 which complaint is made was furnished or performed, and a petition for the
21 enforcement of an order of the Commission for the payment of money shall be
22 filed in the proper court within one year from the date of the order.

23 The remedy provided in this section shall be cumulative, and in addition to
24 any other remedy or remedies in this Act provided in case of failure of a public
25 utility to obey a rule, regulation, order or decision of the Commission.

26 The Commission shall have power to receive complaints regarding loss or
27 damage occasioned by a public utility, and to make inquiry as to the methods of
28 adjusting such claims. All claims against any public utility for loss of, or dam-
29 age to, property, or for any other loss or damage, in connection with a public
30 utility service, not covered by the preceding paragraphs of this section, if not
31 acted upon within ninety days from the date of the filing of the claim with the
32 public utility, may be investigated by the Commission, in its discretion, and the

33 results of such investigation shall be embodied in a special report which shall
34 be open to public inspection.

Sec. 73. In case any public utility shall do, cause to be done or permit to be
2 done any act, matter or thing prohibited, forbidden or declared to be unlawful, or
3 shall omit to do any act, matter or thing required to be done either by any provi-
4 sions of this Act or any rule, regulation, order or decision of the Commission,
5 issued under authority of this Act, such public utility shall be liable to the per-
6 sons or corporations affected thereby for all loss, damage or injury caused
7 thereby or resulting therefrom, and if the court shall find that the act or omis-
8 sion was wilful, the court may in addition to the actual damages, award damages
9 for the sake of example and by the way of punishment. An action to recover for
10 such loss, damage or injury may be brought in any court of competent jurisdic-
11 tion by any person or corporation.

12 In every case of a recovery of damages by any person or corporation under
13 the provision of this section, the plaintiff shall be entitled to a reasonable coun-
14 sel's or attorney's fee to be fixed by the court, which fee shall be taxed and col-
15 lected as part of the costs in the case.

16 No recovery as in this section provided shall in any manner affect a recov-
17 ery by the State of the penalties in this Act provided.

Sec. 74. This Act shall not have the effect to release or waive any right of
2 action by the State, the Commission, or by any body politic, municipal corpor-
3 ation, person or corporation for any right or penalty which may have arisen or
4 accrued or may hereafter arise or accrue under any law of this State.

5 All penalties accruing under this Act shall be cumulative of each other, and
6 suit for the recovery of one penalty shall not be a bar to or affect the recovery
7 of any other penalty or be a bar to any criminal prosecution against any public
8 utility, or any officer, director, agent or employee thereof, or any other corpora-
9 tion or person.

Sec. 75. Whenever the Commission shall be of the opinion that any public utility is failing or omitting or about to fail or omit, to do anything required of it by law, or by any order, decision, rule, regulation, direction or requirement of the Commission, issued or made under authority of this Act, or is doing anything or about to do anything or permitting anything or about to permit anything to be done, contrary to or in violation of law or any order, decision, rule, regulation, direction or requirement of the Commission, issued or made under authority of this Act, the Commission shall commence an action or proceeding in the circuit or superior court or in any other court of concurrent jurisdiction in and for the county in which the case or some part thereof arose, or in which the person or corporation complained of, if any, has its principal place of business, or in which the person complained of, if any, resides, in the name of the People of the State of Illinois, for the purpose of having such violation or threatened violation stopped and prevented, either by mandamus or injunction. The Commission shall begin such action or proceeding by petition to such circuit or superior court, alleging the violation or threatened violation complained of, and praying for appropriate relief by way of mandamus or injunction. It shall thereupon be the duty of the court to specify a time, not exceeding twenty days after the service of the copy of the petition, within which the public utility complained of must answer the petition, and in the meantime said public utility may be restrained. In case of default in answer, or after answer, the court shall immediately inquire into the facts and circumstances of the case. Such corporations or persons as the court may deem necessary or proper to be joined as parties, in order to make its judgment, order or writ effective, may be joined as parties. The final judgment in any such action or proceeding shall either dismiss the action or proceeding or direct that the writ of mandamus or injunction issue or be made permanent as prayed for in the petition, or in such modified or other form as will afford appropriate relief. An appeal may be taken from such final judgment in the same manner and with the same effect, subject to the provisions of this Act, as appeals are taken from judgments of the circuit or superior court in other actions for mandamus or injunction.

Sec. 76. Any public utility or any corporation other than a public utility,
2 which violates or fails to comply with any provisions of this Act, or which fails
3 to obey, observe or comply with any order, decision, rule, regulation, direction, or
4 requirement or any part or provision thereof, of the Commission, made or issued
5 under authority of this Act, in a case in which a penalty is not otherwise pro-
6 vided for in this Act shall, upon conviction, be punished by a fine of not less than
7 five hundred dollars nor more than two thousand dollars for each and every
8 offense.

9 Every violation of the provisions of this Act or of any order, decision, rule,
10 regulation, direction or requirement of the Commission, or any part or portion
11 thereof by any corporation or person is a separate and distinct offense and in
12 case of a continuing violation each day's continuance thereof shall be a separate
13 and distinct offense.

14 In construing and enforcing the provisions of this Act relating to penalties,
15 the act, omission, or failure of any officer, agent, or employee of any public utility
16 acting within the scope of his official duties or employment, shall in every case be
17 deemed to be the act, omission, or failure of such public utility.

Sec. 77. Every person, who, either individually, or acting as an officer, agent
2 or employee of a public utility or of a corporation other than a public utility,
3 violates or fails to comply with any provisions of this Act, or fails to observe,
4 obey or comply with any order, decision, rule, regulation, direction or require-
5 ment, or any part or portion thereof, of the Commission, made or issued under
6 authority of this Act or who procures, aids or abets any public utility in its vio-
7 lation of this Act or in its failure to obey, observe or comply with this Act or any
8 such order, decision, rule, regulation, direction, or requirement, or any part or
9 portion thereof, in a case in which a penalty is not otherwise provided for in this
10 Act, is guilty of a misdemeanor, and shall, upon conviction, be punished by a fine
11 not exceeding one thousand dollars, or by imprisonment in a county jail not ex-
12 ceeding one year, or by both such fine and imprisonment.

Sec. 78. Except as otherwise provided in this Act, actions to recover penalties under this Act shall be brought in the name of the People of the State of Illinois in the circuit or superior court in and for the county in which the cause or some part thereof arose, or in which the corporation complained of, if any, has its principal place of business, or in which the person, if any, complained of, resides. Such action shall be commenced and prosecuted to final judgment by the Commission. In any such action, all penalties incurred up to the time of commencing the same may be sued for and recovered. In all such actions, the procedure and rules of evidence shall be the same as in ordinary civil actions, except as otherwise herein provided. All fines and penalties recovered by the State in any such action shall be paid into the State treasury to the credit of the general fund. Any such action may be compromised or discontinued on application of the Commission upon such terms as the court shall approve and order.

Sec. 79. It is hereby made the duty of the Commission to see that the provisions of the Constitution and statutes of this State affecting public utilities, the enforcement of which is not specifically vested in some other officer or tribunal, are enforced and obeyed, and that violations thereof are promptly prosecuted and penalties due the State therefor recovered and collected, and to this end it may sue in the name of the People of the State.

Sec. 80. The Commission is hereby authorized to hear and determine all applications for the cancellation of warehouse licenses in this State which may be issued in pursuance of any laws of this State, and for that purpose to make and adopt such rules and regulations concerning such hearing and determination as may, from time to time, by it be deemed proper. And if, upon such hearing, it shall appear that any public warehouseman has been guilty of violating any law of this State concerning the business of public warehousemen, the Commission may cancel and revoke the license of said public warehousemen, and immediately notify the officer who issued such license of such revocation and cancellation; and no person whose license as a public warehouseman shall be cancelled or revoked

11 shall be entitled to another license or to carry on the business in this State of such
 12 public warehouseman until the expiration of six months from the date of such
 13 revocation and cancellation, and until he shall have again been licensed: *Pro-*
 14 *vided*, that this section shall not be construed so as to prevent any such ware-
 15 houseman from delivering any grain on hand at the time of such revocation or
 16 cancellation of his said license. And all licenses issued in violation of the provi-
 17 sions of this section shall be deemed null and void.

ARTICLE VI.

LOCAL UTILITIES.

Sec. 81. Subject to the provisions of this Article, each city shall have power
 2 with respect to public utilities furnishing services, products, or commodities
 3 within the limits of such city, except railroads constituting or used as a part of
 4 a trunk line railroad system:

5 (a) To regulate the quality, adequacy, and safety of any service, product
 6 or commodity rendered or furnished within such city by any such public util-
 7 ity; and to require such public utility to make such additions and extensions to
 8 its plant, equipment and property within said city as shall be reasonable and
 9 necessary in the interest of the public.

10 (b) To determine and prescribe just and reasonable rates or other
 11 charges for any service, product or commodity rendered or furnished within
 12 such city by any such public utility, and to prevent unjust and unreasonable dis-
 13 criminations in rates or other charges and in services within such city by any
 14 such public utility.

15 (c) To examine such public utilities and keep informed as to their general
 16 condition, the method of conducting their business, and their compliance with
 17 the provisions of law, with the requirements of their charters, franchises, licen-
 18 ses or permits, and with any orders issued under the provisions of this Act.

19 (d) To adopt reasonable and proper rules and regulations relative to the
 20 exercise of its powers, and to regulate the manner of conducting all investiga-
 21 tions and hearings, and to alter and amend the same.

22 Any city exercising powers under this Article shall with respect to public
23 utilities under its jurisdiction have all the powers and perform all the duties im-
24 posed by this Act upon the Illinois Commerce Commission, except with respect to
25 sections 11, 13 to 29, both inclusive, 31, 43, 45, 52, 58, and 80 of this Act, the
26 jurisdiction conferred by which sections shall remain with the Illinois Commerce
27 Commission. No enumeration of powers contained in this section shall be con-
28 strued as in any manner limiting the powers conferred upon the city by the
29 terms of this section. In all cases in which this Act grants powers to or im-
30 poses duties upon the Illinois Commerce Commission, or imposes duties, obliga-
31 tions or liabilities upon public utilities; or provide for proceedings before the
32 Commission or in the courts under Article V. of this Act; or provides for civil
33 damages, criminal penalties or for remedies of any character; such provisions
34 shall (except as otherwise specified herein) apply as nearly as may be to cities
35 in the exercise of powers and the performance of duties under this article; and
36 this article is intended to apply all such provisions to such cities as fully as if
37 the word "city" were substituted for "Illinois Commerce Commission" or
38 "Commission" in each such case.

39 Any city exercising powers under this Act shall have authority to exercise
40 such powers by municipal ordinance, or otherwise, as such city shall determine.

41 All actions to recover fines and penalties under this article shall be brought
42 in the name of the city under whose jurisdiction the cause of action arose,
43 and the amount recovered shall be paid into the city treasury to the credit of the
44 general fund.

45 The powers conferred by this Act upon cities shall not apply to nor control
46 transactions by or with any transportation district organized under the laws of
47 this State.

48 Nothing in this Act shall be construed to limit or restrict powers now or
49 hereafter granted to cities to pass ordinances for the protection of the public
50 health, safety, comfort, and general welfare or governing the regulation, control
51 or occupation of streets, highways and public property within the city. Nothing

52 in this Act shall be construed to limit or restrict the powers granted to cities by
53 this article, nor to extend the jurisdiction of the Illinois Commerce Commission
54 over the matters covered by this article except as herein provided.

55 Nothing in this article shall be construed to conflict with powers conferred
56 by this Act upon the Illinois Commerce Commission, so far as the exercise of
57 such powers by the Commission is necessary or appropriate to its authority with
58 respect to public utilities under the jurisdiction of the Commission.

Sec. 82. Every public utility under the jurisdiction of a city shall file with
2 such city, acquiring jurisdiction over such utility, copies of all reports made by
3 such public utility to the Illinois Commerce Commission after such jurisdiction
4 is acquired. The city shall have authority to require any such public utility to
5 file monthly reports of earnings and expenses, and such other periodical or spe-
6 cial or periodical and special reports concerning any matter about which the
7 city is authorized by law to keep itself informed, and shall have authority to in-
8 spect and examine any and all books, accounts, papers, records and memoranda
8a kept by such public utility.

9 All reports shall be under oath. When any report is erroneous or defec-
10 tive or appears to the city to be erroneous or defective the city may notify the
11 public utility to amend such report within thirty days, and before or after the
12 termination of such period the city may examine the officers, agents or em-
13 ployes, books, records, accounts, vouchers, plant, equipment and property of
14 such public utility, and correct such items in the report as upon such examina-
15 tion the city may find defective or erroneous. All reports made to the city by any
16 public utility and the contents thereof shall be open to public inspection unless
17 otherwise ordered by the city.

18 Any public utility which fails to make and file any report called for by the
19 city within the time specified, or to make specific answer to any question pro-
20 pounded by the city within thirty days from the time it is lawfully required to
21 do so, or within such further time, not to exceed ninety days, as may in its dis-

22 cretion be allowed by the city, shall forfeit one hundred (\$100) dollars for each
23 and every day it may be in default.

24 Any person who knowingly makes any false return or report to the city, or
25 to any officer or agency of the city, and any person who aids or abets such person
26 shall upon conviction be subject to imprisonment in the county jail not exceed-
27 ing one year, or to a fine not exceeding one thousand dollars (\$1,000) or both.

Sec. 83. Whenever any public utility under the jurisdiction of a city shall
2 make application to the Illinois Commerce Commission with respect to the exer-
3 cise of any powers conferred upon that Commission by Article III of this Act,
4 a notice of such application shall be given to the city by the Illinois Commerce
5 Commission, and the city shall be entitled to appear and to present evidence
6 before the Commission with respect to such application. In the case of all public
7 utilities subject to the jurisdiction of any city, the Illinois Commerce Commis-
8 sion shall not exercise any of the powers conferred by sections 27 and 29 of this
9 Act without the consent of such city.

Sec. 84. Any city may by ordinance or resolution apply to the Illinois Com-
2 merce Commission for any information or data necessary or useful in the exer-
3 cise of its power over public utilities under its jurisdiction; or for the assistance
4 of experts or other agents of the commission in an investigation of a public
5 utility by the city; or for an investigation by the Commission as to any matters
6 relating to public utilities under the jurisdiction of such city. Upon such appli-
7 cation it shall be the duty of the Illinois Commerce Commission to furnish all
8 information or assistance to such city as may be within its power, without in-
9 terfering with the performance of the duties imposed by law upon the Commis-
10 sion. Requests by cities to the Commission for valuations of public utilities
11 shall, so far as possible, be complied with by the Commission in the order in
12 which they are received.

Sec. 85. Any public utility dissatisfied with any action of a city under the
2 terms of this Act may, by agreement with the city, in lieu of proceedings in the

3 courts, apply for a final and conclusive review of the action of the city by the
4 Illinois Commerce Commission. Such application shall set forth the action of
5 the city and the grounds on which such action is contested, and shall be accom-
6 panied by a certified copy of the agreement on the part of the city to a review by
7 such Commission. Upon such application it shall be the duty of the Commission
8 to review the action of the city; and for the purpose of such review the Commis-
9 sion shall be vested with all the powers, and such public utility shall be subject to
10 all the duties, obligations and liabilities as in the case of public utilities subject
11 to the jurisdiction of the Commission. On such review the Commission shall
12 make such determination as seems to it just and reasonable; and the decision and
13 order of the Commission in such case shall be final and conclusive and not sub-
14 ject to review in any court.

Sec. 86. This article shall not be in force in any city until the question of
2 its adoption shall first have been submitted to the legal voters of such city and
3 approved by a majority of those voting at such election. Until this article has been
4 adopted and approved by the voters of such city the Illinois Commerce Commis-
5 sion shall be vested with all the powers and jurisdiction conferred by this Act as
6 to all public utilities within such city, and all public utilities within such city shall
7 be subject to all the duties, obligations, and liabilities as in the case of other
8 public utilities under the jurisdiction of such Commission.

9 Upon the adoption of this article by any city, or upon the resump-
10 tion of powers hereunder, the authority of such city shall supersede
11 the powers of the Illinois Commerce Commission with respect to the
12 matters upon which the city has assumed or resumed authority hereunder. Any
13 city may, by ordinance, direct that the question of the adoption of this article be
14 submitted to the legal voters of such city, at any municipal election at which a mayor
15 or president of the board of trustees or city clerk or city treasurer is elected, to be
16 held not less than thirty days after the passage of such ordinance.

17 The question of the adoption of this article may also be submitted in the fol-
18 lowing manner: A petition signed by the legal voters of the city equal in number
19 to at least five per cent of the legal voters of the city voting at the last preceding
20 election for mayor or president of the board of trustees, demanding the submis-
21 sion of the question of the adoption of this article, may be filed with the election
22 officials having authority over election matters for such city, and it shall there-
23 upon be the duty of such election officials to submit the question of the adoption
24 of this article to such legal voters at the next election at which such question may be
24½ submitted under the terms of this section.

25 Should this article fail to be adopted at any time at which it is submitted
26 under the requirements of this section, then it may be resubmitted from time to
27 time by ordinance or petition as above provided, but the question shall not be
28 submitted oftener than once each two years.

Sec. 87. Any city may, by ordinance adopted in accordance with the pro-
2 visions of this article, surrender the powers herein conferred upon it
3 with respect to public utilities. On such surrender of its powers by any
4 city, such city shall cease to exercise the powers so surrendered; and
5 the Illinois Commerce Commission shall be vested with all powers under
6 this Act as to public utilities within such city.

7 An ordinance surrendering powers shall continue in force for a period
8 of not less than two years and thereafter until such time as an or-
9 dinance shall be adopted by such city in accordance with the provisions
10 of this article resuming powers over such public utilities. On the adop-
11 tion of such resumption ordinance, in the manner herein provided, the
12 jurisdiction, powers and duties of the Commission shall cease as to powers
13 conferred by this article upon cities; and the city shall exercise the
14 powers resumed as if no ordinance to surrender such powers had
15 been passed.

16 Whenever any ordinance has been passed for the surrender of the
17 powers of a city, its operation shall be suspended for a period of thirty days;

18 and if during said thirty days a petition signed by legal voters of the city equal in
 19 number to at least five per cent of the legal voters of the city voting at the last
 20 election for mayor or president of the board of trustees is filed with the proper
 21 election officials, demanding the submission of such ordinance, it shall thereupon
 22 be the duty of the election officials to submit the question of the adoption of such
 23 ordinance to such legal voters at the election specified in said petition, and such
 23a ordinance shall not take effect unless approved by a majority of the legal voters
 23b voting thereon.

24 No ordinance providing for the resumption of powers once surrendered
 25 by a city shall become effective unless submitted to and adopted by the
 26 voters of such city in the same manner as that provided by this Act for the
 27 original adoption of Article VI thereof.

28 No action of any city adopting this article, or surrendering the powers con-
 29 ferred thereby, or resuming such powers, shall be of force and effect until a
 30 notice of such adoption, surrender or resumption shall have been filed with the
 31 Illinois Commerce Commission.

32 If a city adopts or surrenders the powers conferred by this article while an
 33 appeal is pending in the courts questioning the findings, orders, decisions, rules
 34 or regulations of the commission (or of the city, as the case may be) the court,
 35 in which such appeal is pending, may, in its discretion, permit the joinder or
 36 substitution of the city (or of the commission, as the case may be).

ARTICLE VII.

REPEAL—SAVING CLAUSE—CONSTRUCTION.

Sec. 88. "An Act to establish a board of railroad and warehouse commis-
 2 sioners, and prescribe their powers and duties," approved April 13, 1871, in force
 3 July 1, 1871, together with the amendments thereto; "An Act defining and

4 regulating express companies and carriers by express operating within the State
5 of Illinois, declaring them to be common carriers and placing them under the
6 jurisdiction and control of the Illinois Railroad and Warehouse Commission,"
7 approved June 9, 1911, in force July 1, 1911; and "An Act to provide for the
8 regulation of public utilities" approved June 30, 1913, in force January 1, 1914,
9 as amended, are hereby repealed. Nothing in this Act shall be construed to repeal
10 any other Act or part thereof conferring power on said Board of Railroad and
11 Warehouse Commissioners or on the State Public Utilities Commission or the
12 Public Utilities Commission except such as are in direct conflict herewith, but the
13 rights, powers and duties conferred by such other Act or Acts upon the Board
14 of Railroad and Warehouse Commissioners, the State Public Utilities Commis-
15 sion, and the Public Utilities Commission shall be continued in full force and
16 transferred to the Illinois Commerce Commission, it being the intent of this Act
17 to substitute with respect to such other Act or Acts the Illinois Commerce Com-
17a mission for the Public Utilities Commission.

18 The Public Utilities Commission shall transfer and deliver to the Illinois
19 Commerce Commission, upon its demand in writing, all books, papers and rec-
20 ords; furniture, equipment and supplies of whatever description in its posses-
21 sion; and the Illinois Commerce Commission shall take possession of all such
22 books, papers and records, furniture, equipment and supplies.

23 All parts of "An Act in relation to the civil administration of the state gov-
24 ernment, and to repeal certain Acts therein named," approved March 7, 1917,
25 in force July 1, 1917, as amended, in conflict with this Act, are hereby repealed.

Sec. 89. This Act shall not affect pending actions or proceedings, civil or
2 criminal, in any court, brought by or against the People of the State of Illinois or
3 the Board of Railroad and Warehouse Commissioners, State Public Utilities
4 Commission, or Public Utilities Commission, or by any other person, firm or cor-
5 poration under the provisions of the Acts establishing or conferring power on
6 the Board of Railroad and Warehouse Commissioners, State Public Utilities

7 Commission or Public Utilities Commission, nor abate any causes of action aris-
 8 ing thereunder, but the same may be instituted, prosecuted and defended with
 9 the same effect as though this Act had not been passed. Any investigation,
 10 hearing or proceeding, instituted or conducted by the Board of Railroad and
 11 Warehouse Commissioners, State Public Utilities Commission or Public Utilities
 12 Commission, prior to the taking effect of this Act may be conducted and con-
 13 tinued to a final determination by the Illinois Commerce Commission with the
 14 same effect as if this Act had not been passed.

15 All findings, orders, decisions, rules and regulations issued or promulgated
 16 by the Board of Railroad and Warehouse Commissioners, State Public Utilities
 17 Commission or Public Utilities Commission, under the Acts establishing or con-
 18 ferring power on said board or commissions, shall continue in force and have
 19 the same effect as though this Act had not been passed; and the Illinois Com-
 20 merce Commission hereby created is empowered to enforce said findings, orders,
 21 decisions, rules and regulations in the same manner and under the same condi-
 22 tions as though said findings, orders, decisions, rules and regulations had been
 23 made, issued or promulgated by the Illinois Commerce Commission.

Sec. 90. If any section, subdivision, sentence, or clause of this Act is for
 2 any reason held invalid or to be unconstitutional, such decision shall not affect
 3 the validity of the remaining portions of this Act.

Sec. 91. Neither this Act nor any provision thereof shall apply or be con-
 2 strued to apply to commerce with foreign nations or commerce among the several
 3 states of this Union, except when specifically so stated, and insofar as the same
 4 may be permitted under the provisions of the Constitution of the United States
 5 and Acts of Congress, and the decisions of the Supreme Court of the United
 6 States.

Sec. 92. A substantial compliance with the requirements of this Act shall be
 2 sufficient to give effect to all the Acts, orders, decisions, rules and regulations

3 of the Commission, and they shall not be declared inoperative, illegal or void
4 for any omission of a technical nature in respect thereto.



1 Amendments numbered 1 to 23, both inclusive, adopted May 18, 1921.

2 Amendments numbered 27, 28, 32 and 33, adopted May 19, 1921.

AMENDMENT NO. 1.

Amend printed House Bill No. 741, on page 9, in Section 3, by inserting in
2 line 16 after the word "held" the following words: "Within the county in
3 which the subject matter of the hearing is situated, or if the subject matter of
4 the hearing is situated in more than one county, then at a place or places desig-
5 nated by the Commission, or agreed upon by the parties in interest, within one or
6 more such counties, or"

AMENDMENT NO. 2.

Amend printed House Bill No. 741, on page 19, by omitting from Section 11
2 all of line 26 after the word "accounts" and all of lines 27 and 28.

AMENDMENT NO. 3.

Amend printed House Bill No. 741, on page 21, by adding after line 10, Sec-
2 tion 17, a paragraph to read as follows:
3 "If any such books, accounts, records or memoranda shall have been pre-
4 served for a period of at least three years, a public utility may, with the consent
5 of the Commission, destroy such of them as in the judgment of the Commission
6 may properly be destroyed."

AMENDMENT NO. 4.

Amend printed House Bill No. 741, on page 26, by striking from line 6 of
2 Section 23, the words and figures: "July 1, 1913" and substituting therefor the
3 words and figures: "January 1, 1914."

AMENDMENT NO. 5.

Amend printed House Bill No. 741, on page 29, in line 18, by striking the
 2 word "hold" and inserting in lieu thereof the word "receive."

AMENDMENT NO. 6.

Amend printed House Bill No. 741, on page 35, in Section 36, line 10, by
 2 striking the words "or personal notice."

AMENDMENT NO. 7.

Amend printed House Bill No. 741, on page 35, in Section 36, by striking
 2 all of lines 21, 21½, 22, 23 and 24.

AMENDMENT NO. 8.

Amend printed House Bill No. 741, on pages 36 and 37, by striking out of
 2 Section 36 all of lines 53 to 67, both inclusive.

AMENDMENT NO. 9.

Amend printed House Bill No. 741, on page 38, by striking out all of Sec-
 2 tion 39a and inserting in lieu thereof the following words:

3 "Sec. 39a. Any common carrier engaged in the transportation of persons
 4 between points in this State, shall furnish 'annual' transportation, free of
 5 charge, to the Governor, Lieutenant Governor, Secretary of State, Auditor of
 6 Public Accounts, State Treasurer, Superintendent of Public Instruction, Attor-
 7 ney General, the Justices of the Supreme Court, the Clerk of the Supreme
 8 Court, and members and officers of the General Assembly, over any and all
 9 of its lines or roads in this State during the respective terms of office of said
 10 officers."

AMENDMENT NO. 10.

Amend printed House Bill No. 741, on page 50, by striking from Section 54
 2 all of lines 32 to 41, both inclusive.

AMENDMENT. NO. 11.

Amend printed House Bill No. 741, on page 51, by striking from line 15, of
2 Section 55, the words "or annulled," by striking out the comma after the word
3 "altered" in such lines, and by inserting in the same line the word "or" between
4 the words "altered" and "modified."

AMENDMENT NO. 12.

Amend printed House Bill No. 741, on page 51, by striking from Section
2 55 all of lines 20, 21, 22 and 23.

AMENDMENT. NO. 13.

Amend printed House Bill No. 741, on page 57, by striking from Section
2 60 all of lines 23, 24 and 25.

AMENDMENT. NO. 14.

Amend printed House Bill No. 741, on page 64, Section 67, by striking out
2 all of the first line of Section 67 and inserting in lieu thereof:

3 "Sec. 67. Anything in this Act in the contrary notwithstanding, the Com-
4 mission may at any time, upon notice to the public utility."

5 Strike out lines 7 to 13, both inclusive, of Section 67, on page 64, and the first
6 word of line 14 and insert in lieu thereof the following:

7 "Within thirty days after the service of any rule or regulation, order or
8 decision of the Commission any party to the action or proceeding may apply
9 for a rehearing in respect to any matters determined in said action or pro-
10 ceeding and specified in the application for rehearing. The Commission shall re-
11 ceive and consider such application and shall grant or deny such application
12 within twenty days from the date of the receipt thereof by the Commission. In
13 case the application for rehearing is granted the Commission shall proceed as
14 promptly as possible to consider the matters presented by such application. No
15 appeal shall be allowed from any rule, regulation, order or decision of the Com-
16 mission unless and until an application for a rehearing thereof shall first have
17 been filed with and acted upon by the Commission."

AMENDMENT NO. 15.

Amend printed House Bill No. 741, on page 65, in Section 68, line 21, by
 2 striking the word "ten" and inserting in lieu thereof the word "twenty."

AMENDMENT NO. 16.

Amend printed House Bill No. 741, on page 65, Section 68, by striking out
 2 lines 1 to 8, both inclusive, and inserting in lieu thereof the following:

3 Sec. 68. Within thirty days after the service of any order or decision of
 4 the Commission refusing an application for a rehearing of any rule, regulation,
 5 order or decision of the Commission, or within thirty days after the service
 6 of any final order or decision of the Commission upon and after a rehearing on
 7 any rule, regulation, order or decision of the Commission, any person or cor-
 8 poration affected by such rule, regulation, order or decision, may appeal to the
 9 Circuit or Superior Court of the county in which the subject matter of the hear-
 10 ing is situated, or if the subject matter of the hearing is situated in more
 11 than one county, then of any one of such counties, for the purpose of having the
 12 reasonableness or lawfulness of the rule, regulation, order or decision inquired
 13 into and determined. The court first acquiring jurisdiction of an appeal from
 14 any rule, regulation, order or decision shall have and retain jurisdiction of such
 15 appeal and of all further appeals from the same rule, regulation, order or de-
 16 cision until such appeal is disposed of in such Circuit or Superior Court.

AMENDMENT NO. 17.

Amend printed House Bill No. 741, on page 77, by striking out all of Sec-
 2 tion 83 (lines 1 to 9, both inclusive) and by renumbering Sections 84, 85, 86, 87,
 3 88, 89, 90, 91 and 92 as Sections 83, 84, 85, 86, 87, 88, 89, 90 and 91 respectively.

AMENDMENT NO. 18.

Amend printed House Bill No. 741, on page 82, by striking out of line 12
 2 of Section 89 (renumbered as Section 88) the word "may" and inserting in
 3 lieu thereof the word "shall."

AMENDMENT NO. 19.

Amend printed House Bill No. 741, on page 82, in Section 89 (renumbered
2 as Section 88) by striking out lines 18, 19, 20, 21, 22 and 23 and inserting in
3 lieu thereof the following: “ferring power on said board or commissions, shall
4 continue in force; and the Illinois Commerce Commission hereby created shall
5 have all powers with respect to said findings, orders, decisions, rules and regula-
6 tions as though said findings, orders, decisions, rules and regulations had been
7 made, issued or promulgated by the Illinois Commerce Commission under this
8 Act.”

AMENDMENT NO. 20.

Amend printed House Bill No. 741, on page 51, by inserting after the
2 word “void” in line 19, the following:

3 “Nothing contained in this Act shall be construed as requiring any certifi-
4 cate of public convenience and necessity for operating motor busses, jitney
5 busses, omnibusses, state coaches, cabs, taxicabs, motor trucks, or other simi-
6 lar vehicles for the carriage of passengers, or goods for hire or reward along
7 or upon public highways, along fixed routes, on schedule time or otherwise.”

AMENDMENT NO. 21.

Amend House Bill No. 741, as printed, by striking out after the word “or”
2 in line 15, Section 86, on page 78, the words “president of the board of trus-
3 tees” and insert in lieu thereof the words “president of the village.”

AMENDMENT NO. 22.

Amend House Bill No. 741, as printed, by striking out after the word “or”
2 in line 20, Section 86, on page 79, the words “president of the board of trus-
3 tees” and insert in lieu thereof the words “president of the village.”

AMENDMENT NO. 23.

Amend House Bill No. 741, as printed, by striking out after the word “or”
2 in line 20, Section 87, on page 80, the words “president of the board of trus-
3 tees” and insert in lieu thereof the words “president of the village.”

AMENDMENT NO. 27.

Amend printed House Bill No. 741, on page 78, in Section 86, by striking
2 out the period at the end of line 16 of said Section, and by substituting in lieu
3 thereof a semi-colon, and by adding after said semi-colon the following:

4 *“Provided, that any city which has adopted and which is operating under*
5 *the ‘commission form of municipal government’ Act, so-called, as provided by*
6 *the statutes of the State of Illinois, may, by ordinance, direct that the ques-*
7 *tion of the adoption of this article be submitted to the legal voters of such city,*
8 *at any general, municipal or special election in and for the entire city, to be held*
9 *not less than six months after the passage and approval of such ordinance.”*

AMENDMENT NO. 28.

Amend printed House Bill No. 741, on page 79, in Section 86, by striking
2 out the period at the end of line 24½ of said section, and by substituting in lieu
3 thereof a semi-colon and by adding after said semi-colon the following:

4 *“Provided, that where said petition is filed for and in any city which has*
5 *adopted and is operating under the ‘commission form of municipal government,*
6 *Act, so-called, as provided by the statutes of the State of Illinois, then and in*
7 *that case it shall thereupon be the duty of such election officials to submit the*
8 *question of the adoption of this article to such said legal voters at the next*
9 *election, general or municipal, at which such question may be submit-*
10 *ted under the terms of this section, provided there be such an election held*
11 *within one year from the filing of said petition; but in case no such election is*
12 *or can be held within said one year from the filing of said petition, then and in*
13 *such case it shall thereupon be the duty of said election officials to call a special*
14 *election for the said purpose, said election to be held not less than six months*
15 *nor more than one year from the said filing of said petition, and to submit the*
16 *question of the adoption of this article to such legal voters of said city at said*
17 *special election.”*

AMENDMENT NO. 32.

Amend House Bill No. 741, on page 15, in Section 10, by inserting in line 2 10 after the word "Municipality" and before the parenthesis, the following:
3 " , and except such telephone company or companies which are or may hereafter
4 be purely mutual concerns, having no rates or charges for services, but paying
5 the operating expenses by assessment upon the members of such company or
6 companies and no other person or persons."

AMENDMENT NO. 33.

Amend printed House Bill No. 741, on page 50, after Section 54, and immediately preceding Section 55, by adding a new Section, to be known as "Section 54a," and to read as follows:

4 "Sec. 54a. The commission shall require that all companies furnishing
5 natural or artificial gas, electricity or water to the public, if the individual consumption is measured by meter, furnish to the consumer a duplicate reading
6 of such meter at the time that the meter reading is taken. This duplicate shall
7 show the present reading of the meter, the last previous reading, the date of
8 the two readings, and the consumption as shown between the two dates. The
9 duplicate shall be left with the consumer or some person of his family or in his
10 employ on the premises where the meter is located."



AMENDMENT NO. 1.

Amend printed House Bill No. 741, on page 9, in Section 3, by inserting in
2 line 16 after the word "held" the following words:

3 "within the county in which the subject matter of the hearing is situated, or
4 if the subject matter of the hearing is situated in more than one county,
5 then at a place or places designated by the Commission, or agreed upon by
6 the parties in interest, within one or more such counties, or"

AMENDMENT NO. 2.

Amend printed House Bill No. 741, on page 19, by omitting from Section 11
2 all of line 26 after the word "accounts" and all of lines 27 and 28.

AMENDMENT NO. 3.

Amend printed House Bill No. 741, on page 21, by adding after line 10, Sec-
2 tion 17, a paragraph to read as follows:

3 "If any such books, accounts, records or memoranda shall have been pre-
4 served for a period of at least three years, a public utility may, with the consent
5 of the commission, destroy such of them as in the judgment of the commission
6 may properly be destroyed."

AMENDMENT NO. 4.

Amend printed House Bill No. 741, on page 26, by striking from line 6 of
2 Section 23 the words and figures: "July 1, 1913" and substituting therefor the
3 words and figures:

4 "January 1, 1914."

AMENDMENT NO. 5.

Amend printed House Bill No. 741, on page 29, in line 18, by striking the
 2 word "hold" and inserting in lieu thereof the word "receive."

AMENDMENT NO. 6.

Amend printed House Bill No. 741, on page 35, in Section 36, line 10, by
 2 striking the words "or personal notice."

AMENDMENT NO. 7.

Amend printed House Bill No. 741, on page 35, in Section 36, by striking all
 2 of lines 21, 21½, 22, 23 and 24.

AMENDMENT NO. 8.

Amend printed House Bill No. 741, on pages 36 and 37, by striking out of
 2 Section 36 all of lines 53 to 67, both inclusive.

AMENDMENT NO. 9.

Amend printed House Bill No. 741, on page 38, by striking all of Section 39a
 2 and inserting in lieu thereof the following words:

3 "Sec. 39a. Any common carrier engaged in the transportation of persons
 4 between points within this State, shall on demand furnish annual transporta-
 5 tion, free of charge, to the Governor, Lieutenant Governor, Secretary of State,
 6 Auditor of Public Accounts, State Treasurer, Superintendent of Public Instruc-
 7 tion, Attorney General, the Justices of the Supreme Court and Members and
 8 Officers of the General Assembly, over any and all of its lines or roads in this
 9 State during the respective terms of office of said officers."

AMENDMENT NO. 10.

Amend printed House Bill No. 741, on page 50, by striking from Section 54
 2 all of lines 32 to 41, both inclusive.

AMENDMENT NO. 11.

Amend printed House Bill No. 741, on page 51, by striking from line 15 of
 2 Section 55 the words "or annulled," by striking out the comma after the word
 3 "altered" in such line, and by inserting in the same line the word "or" between
 4 the words "altered" and "modified."

AMENDMENT NO. 12.

Amend printed House Bill No. 741, on page 51, by striking from Section 55
 2 all of lines 20, 21, 22 and 23.

AMENDMENT NO. 13.

Amend printed House Bill No. 741, on page 57, by striking from Section 60
 2 all of lines 23, 24 and 25.

AMENDMENT NO. 14.

Amend printed House Bill No. 741, on pages 59 and 60, by striking from
 2 Section 63 all of lines 13 to 24, both inclusive.

AMENDMENT NO. 15.

Amend printed House Bill No. 741, on page 64, Section 67, by striking out
 2 all of the first line of Section 67 and inserting in lieu thereof:

3 "Sec. 67. Anything in this Act to the contrary notwithstanding, the Com-
 4 mission may at any time, upon notice to the public utility"

5 Strike out lines 7 to 13, both inclusive, of Section 67 on page 64 and the first
 6 word of line 14 and insert in lieu thereof the following:

7 "Within thirty days after the service of any rule or regulation, order or
 8 decision of the Commission any party to the action or proceeding may apply
 9 for a rehearing in respect to any matters determined in said action or proceeding
 10 and specified in the application for rehearing. The Commission shall receive
 11 and consider such application and shall grant or deny such application within
 12 twenty days from the date of the receipt thereof by the Commission. In case
 13 the application for rehearing is granted the Commission shall proceed as

14 promptly as possible to consider the matters presented by such application. No
 15 appeal shall be allowed from any rule, regulation, order or decision of the Com-
 16 mission unless and until an application for a rehearing thereof shall first have
 17 been filed with and acted upon by the Commission.”

AMENDMENT NO. 16.

Amend printed House Bill No. 741, on page 65, Section 68, by striking out
 2 lines 1 to 8, both inclusive, and inserting in lieu thereof the following:

3 Sec. 68. Within thirty days after the service of any order or decision of the
 4 Commission refusing an application for a rehearing of any rule, regulation,
 5 order or decision of the Commission, or within thirty days after the service of any
 6 final order or decision of the Commission upon and after a rehearing on any rule,
 7 regulation, order or decision of the Commission, any person or corporation
 8 affected by such rule, regulation, order or decision, may appeal to the circuit or
 9 superior court of the county in which the subject matter of the hearing is
 10 situated, or if the subject matter of the hearing is situated in more than one
 11 county, then of any one of such counties for the purpose of having the reason-
 12 ableness or lawfulness of the rule, regulation, order or decision inquired into and
 13 determined. The court first acquiring jurisdiction of an appeal from any rule,
 14 regulation, order or decision shall have and retain jurisdiction of such appeal
 15 and of all further appeals from the same rule, regulation, order or decision until
 16 such appeal is disposed of in such circuit or superior court.

AMENDMENT NO. 17.

Amend printed House Bill No. 741, on page 65, in Section 68, line 21, by
 2 striking the word “ten” and inserting in lieu thereof the word “twenty.”

AMENDMENT NO. 18.

Amend printed House Bill No. 741, on page 77, by striking out all of Section
 2 83 (lines 1 to 9, both inclusive) and by renumbering Sections 84, 85, 86, 87, 88,
 3 89, 90, 91 and 92, as Sections 83, 84, 85, 86, 87, 88, 89, 90 and 91, respectively.

AMENDMENT NO. 19.

Amend printed House Bill No. 741, on page 82, by striking out of line 12 of
2 Section 89 (renumbered as Section 88) the word "may" and inserting in lieu
3 thereof the word "shall."

AMENDMENT NO. 20.

Amend printed House Bill No. 741, on page 82, in Section 89 (renumbered
2 as Section 88) by striking out lines 18, 19, 20, 21, 22 and 23 and inserting in lieu
3 thereof the following: "ferring power on said board or commissions, shall con-
4 tinue in force; and the Illinois Commerce Commission hereby created shall have
5 all powers with respect to said findings, orders, decisions, rules and regulations
6 as though said findings, orders, decisions, rules and regulations had been made,
7 issued or promulgated by the Illinois Commerce Commission under this Act."

THE UNIVERSITY OF CHICAGO
LIBRARY
JAN 11 1927



1 Adopted May 19, 1921.

AMENDMENT NO. 1.

Amend printed House Bill No. 741, on page 9, in Section 3, by inserting in
2 line 16 after the word "held" the following words: "Within the county in
3 which the subject matter of the hearing is situated, or if the subject matter of
4 the hearing is situated in more than one county, then at a place or places desig-
5 nated by the Commission, or agreed upon by the parties in interest, within one or
6 more such counties, or"

AMENDMENT NO. 2.

Amend printed House Bill No. 741, on page 19, by omitting from Section 11
2 all of line 26 after the word "accounts" and all of lines 27 and 28.

AMENDMENT NO. 3.

Amend printed House Bill No. 741, on page 21, by adding after line 10, Sec-
2 tion 17, a paragraph to read as follows:

3 "If any such books, accounts, records or memoranda shall have been pre-
4 served for a period of at least three years, a public utility may, with the consent
5 of the Commission, destroy such of them as in the judgment of the Commission
6 may properly be destroyed."

AMENDMENT NO. 4.

Amend printed House Bill No. 741, on page 26, by striking from line 6 of
2 Section 23, the words and figures: "July 1, 1913" and substituting therefor the
3 words and figures: "January 1, 1914."

AMENDMENT NO. 5.

Amend printed House Bill No. 741, on page 29, in line 18, by striking the
 2 word "hold" and inserting in lieu thereof the word "receive."

AMENDMENT NO. 6.

Amend printed House Bill No. 741, on page 35, in Section 36, line 10, by
 2 striking the words "or personal notice."

AMENDMENT NO. 7.

Amend printed House Bill No. 741, on page 35, in Section 36, by striking
 2 all of lines 21, 21½, 22, 23 and 24.

AMENDMENT NO. 8.

Amend printed House Bill No. 741, on pages 36 and 37, by striking out of
 2 Section 36 all of lines 53 to 67, both inclusive.

AMENDMENT NO. 9.

Amend printed House Bill No. 741, on page 38, by striking out all of Sec-
 2 tion 39a and inserting in lieu thereof the following words:

3 "Sec. 38a. Any common carrier engaged in the transportation of persons
 4 between points in this State, shall furnish 'annual' transportation, free of
 5 charge, to the Governor, Lieutenant Governor, Secretary of State, Auditor of
 6 Public Accounts, State Treasurer, Superintendent of Public Instruction, Attor-
 7 ney General, the Justice of the Supreme Court, the Clerk of the Supreme
 8 Court, and members and officers of the General Assembly, over any and all
 9 of its lines or roads in this State during the respective terms of office of said
 10 officers."

AMENDMENT NO. 10.

Amend printed House Bill No. 741, on page 50, by striking from Section 54
 2 all of lines 32 to 41, both inclusive.

AMENDMENT. NO. 11.

Amend printed House Bill No. 741, on page 51, by striking from line 15, of
2 Section 55, the words “or annulled,” by striking out the comma after the word
3 “altered” in such lines, and by inserting in the same line the word “or” between
4 the words “altered” and “modified.”

AMENDMENT NO. 12.

Amend printed House Bill No. 741, on page 51, by striking from Section
2 55 all of lines 20, 21, 22 and 23.

AMENDMENT. NO. 13.

Amend printed House Bill No. 741, on page 57, by striking from Section
2 60 all of lines 23, 24 and 25.

AMENDMENT. NO. 14.

Amend printed House Bill No. 741, on page 64, Section 67, by striking out
2 all of the first line of Section 67 and inserting in lieu thereof:

3 “Sec. 67. Anything in this Act in the contrary notwithstanding, the Com-
4 mission may at any time, upon notice to the public utility.”

5 Strike out lines 7 to 13, both inclusive, of Section 67, on page 64, and the first
6 word of line 14 and insert in lieu thereof the following:

7 “Within thirty days after the service of any rule or regulation, order or
8 decision of the Commission any party to the action or proceeding may apply
9 for a rehearing in respect to any matters determined in said action or pro-
10 ceeding and specified in the application for rehearing. The Commission shall re-
11 ceive and consider such application and shall grant or deny such application
12 within twenty days from the date of the receipt thereof by the Commission. In
13 case the application for rehearing is granted the Commission shall proceed as
14 promptly as possible to consider the matters presented by such application. No
15 appeal shall be allowed from any rule, regulation, order or decision of the Com-
16 mission unless and until an application for a rehearing thereof shall first have
17 been filed and acted upon by the Commission.”

AMENDMENT NO. 15.

Amend printed House Bill No. 741, on page 65, in Section 68, line 21, by
 2 striking the word "ten" and inserting in lieu thereof the word "twenty."

AMENDMENT NO. 16.

Amend printed House Bill No. 741, on page 65, Section 68, by striking out
 2 lines 1 to 8, both inclusive, and inserting in lieu thereof the following:

3 Sec. 68. Within thirty days after the service of any order or decision of
 4 the Commission refusing an application for a rehearing of any rule, regulation,
 5 order or decision of the Commission, or within thirty days after the service
 6 of any final order or decision of the Commission up and after a rehearing on
 7 any rule, regulation, order or decision of the Commission, any person or cor-
 8 poration affected by such rule, regulation, order or decision, may appeal to the
 9 Circuit or Superior Court of the county in which the subject matter of the hear-
 10 ing is situated, or if the subject matter of the complaint is situated in more
 11 than one county, then of any one of such counties, for the purpose of having the
 12 reasonableness or lawfulness of the rule, regulation, order or decision inquired
 13 into and determined. The court first acquiring jurisdiction of any appeal from
 14 any rule, regulation, order or decision shall have and retain jurisdiction of such
 15 appeal and of all further appeals from the same rule, regulation, order or de-
 16 cision until such appeal is disposed of in such Circuit or Superior Court.

AMENDMENT NO. 17.

Amend printed House Bill No. 741, on page 77, by striknig out all of Sec-
 2 tion 83 (lines 1 to 9, both inclusive) and by renumbering Sections 84, 85, 86, 87,
 3 88, 89, 90, 91 and 92 as Sections 83, 84, 85, 86, 87, 88, 89, 90 and 91 respectively.

AMENDMENT NO. 18.

Amend printed House Bill No. 741, on page 82, by striknig out of line 12
 2 of Section 89 (renumbered as Section 88) the word "may" and inserting in
 3 lieu thereof the word "shall."

AMENDMENT NO. 19.

Amend printed House Bill No. 741, on page 82, in Section 89 (renumbered
2 as Section 88) by striking out lines 18, 19, 20, 21, 22 and 23 and inserting in
3 lieu thereof the following: "ferring power on said board or commissions, shall
4 continue in force; and the Illinois Commerce Commission hereby created shall
5 ave all powers with respect to said findings, orders, decisions, rules and regula-
6 tions as though said findings, orders, decisions, rules and regulations had been
7 made, issued or promulgated by the Illinois Commerce Commission under this
8 Act."

AMENDMENT NO. 20.

Amend printed House Bill No. 741, on page 51, by inserting after the
2 word "void" in line 19, the following:

3 "Nothing contained in this Act shall be construed as requiring any certifi-
4 cate of public convenience and necessity for operating motor busses, jitney
5 busses, omnibusses, state coaches, cabs, taxicabs, motor trucks, or other simi-
6 lar vehicles for the carriage of passengers, or goods for hire or reward along
7 or upon public highways, along fixed routes, on schedule time or otherwise."

AMENDMENT NO. 21.

Amend House Bill No. 741, as printed, by striking out after the word "or"
2 in line 15, Section 86, on page 78, the words "president of the board of trus-
3 tees" and insert in lieu thereof the words "president of the village."

AMENDMENT NO. 22.

Aemnd House Bill No. 741, as printed, by striking out after the word "or"
2 in line 20, Section 86, on page 79, the words "president of the board of trus-
3 tees" and inserting in lieu thereof the words "president of the village."

AMENDMENT NO. 23.

Amend House Bill No. 741, as printed, by striking out after the word "or"
2 in line 20, Section 87, on page 80, the words "president of the board of trus-
3 tees" and insert in lieu thereof the words "president of the village."

AMENDMENT NO. 24.

Amend House Bill No. 741, as printed, by striking out the word “seven”
 2 in line 3 of Section 1 of Article I on page 7 and insert in lieu thereof the word
 3 “five.”

AMENDMENT NO. 27.

Amend printed House Bill No. 741, on uage 78, in Section 86, by striking
 2 out the period at the end of line 16 of said Section, and by substituting in lieu
 3 thereof a semi-colon, and by adding after said semi-colon the following:

4 “*Provided*, that any city which has adopted and which is operating under
 5 the ‘commission form of municipal government’ Act, so-called, as provided by
 6 the statutes of the State of Illinois, may, by ordinance, direct that the ques-
 7 tion of the adoption of this article be submitted to the legal voters of such city,
 8 at any general, municipal or special election in and for the entire city, to be held
 9 not less than six months after the passage and approval of such ordinance.”

AMENDMENT NO. 28.

Amend printed House Bill No. 741, on page 79, in Section 86, by striking
 2 out the period at the end of line 24½ of said section, and by substituting in lieu
 3 thereof a semi-colon and by adding after said semi-colon the following:

4 “*Provided*, that where said petition is filed for and in any city which has
 5 adopted and is operating under the ‘commission form of municipal government,
 6 Act, so-called, as provided by the statutes of the State of Illinois, then and in
 7 that case it shall thereupon be the duty of such election officials to submit the
 8 question of the adoption of this article to such said legal voters at the next
 9 election, general or municipal, at which such question may be submit-
 10 ted under the terms of this section, provided there be such an election held
 11 within one year from the filing of said petition; but in case no such election is
 12 or can be held within said one year from the filing of said petition, then and in
 13 such case it shall thereupon be the duty of said election officials to call a special
 14 election for the said purpose, said election to be held not less than six months

15 nor more than one year from the said filing of said petition, and to submit the
16 question of the adoption of this article to such legal voters of said city at said
17 special election.”

AMENDMENT NO. 32.

Amend House Bill No. 741, on page 15, in Section 10, by inserting in line
2 10 after the word “Municipality” and before the parenthesis, the following:
3 “, and except such telephone company or companies which are or may hereafter
4 be purely mutual concerns, having no rates or charges for services, but paying
5 the operating expenses by assessment upon the members of such company or
6 companies and no other person or persons.”

AMENDMENT NO. 33.

Amend printed House Bill No. 741, on page 50, after Section 54, and im-
2 mediately preceding Section 55, by adding a new Section, to be known as “Sec-
3 tion 54a,” to read as follows:

4 “Sec. 54a. The commission shall require that all companies furnishing
5 natural or artificial gas, electricity or water to the public, if the individual con-
6 sumption is measured by meter, furnish to the consumer a duplicate reading
7 of such meter at the time that the meter reading is taken. This duplicate shall
8 show the present reading of the meter, the last previous reading, the date of
9 the two readings, and the consumption as shown between the two dates. The
10 duplicate shall be left with the consumer or some person of his family or in his
11 employ on the premises where the meter is located.”

1 Offered by Committee on Public Utilities, June 7, 1921.

2 Ordered printed.

AMENDMENTS TO PRINTED HOUSE BILL NO. 741, IN SENATE.

AMENDMENT No. 1.

Amend printed House Bill No. 741 in Senate, on pages 6 and 7, in Section
2 8, by striking out all of lines 1 to 21, both inclusive, and by inserting at the be-
3 ginning of line 22, the word and figure, "Sec. 8."

AMENDMENT No. 2.

Amend printed House Bill No. 741 in Senate, on pages 32 and 33, by strik-
2 ing out all of Section 39a.

AMENDMENT NO. 3.

Amend printed House Bill No. 741 in Senate, on page 45, in Section 55, by
2 striking out in line 21, the words, "Nothing contained in this Act shall be con-
3 strued as" and by striking out all of lines 22, 23, 24 and 25, and by striking
4 out in line 28, the words, "time or otherwise."

AMENDMENT NO. 4.

Amend printed House Bill No. 741 in Senate, on page 73, in Section 85,
2 lines 9 and 10 by striking out the words, "or upon the resumption of powers
3 hereunder."

AMENDMENT NO. 5.

Amend printed House Bill No. 741 in Senate, on page 73, in Section 85, by
 2 striking out in line 12, the words, "Any city may by ordinance", and by strik-
 3 ing out all of lines 13 to 22, both inclusive.

AMENDMENT NO. 6.

Amend printed House Bill No. 741 in Senate, on page 74, in Section 85,
 2 line 23, by striking out the word "also".

AMENDMENT NO. 7.

Amend printed House Bill No. 741 in Senate, on page 74, in Section 85,
 2 line 25, by striking out the word "five" and inserting in lieu thereof the word
 3 "twenty-five".

AMENDMENT NO. 8.

Amend printed House Bill No. 741 in Senate, on page 74, in Section 85, line
 2 47, by striking out the words, "ordinance or".

AMENDMENT NO. 9.

Amend printed House Bill No. 741 in Senate, on page 74, in Section 85,
 2 lines 30 and 31, by striking out the words, "at the next election at which such
 3 questions may be submitted under the terms of this section", and inserting in
 4 lieu thereof the following words: "at any municipal election at which a mayor
 5 or president of the village or any clerk or city treasurer is elected, to be held not
 6 less than thirty days after the filing of such petition".

AMENDMENT NO. 10.

Amend printed House Bill No. 741 in Senate, on page 74, in Section 85, by
 2 striking out the word "provided" in line 31, and by striking out all of lines 32
 3 to 44, both inclusive, and inserting in lieu thereof the following:

4 "Where such petition is filed for and in any city which has adopted and is
 5 operating under Article XIII of 'An Act to provide for the incorporation of

6 cities and villages,' approved April 10, 1872, in force July, 1, 1872, as amended,
7 it shall be the duty of the election officials to submit the question of the adop-
8 tion of this article to the legal voters at the next election at which a mayor and
9 commissioners are to be elected, or, if filed within thirty days before, or if filed
10 after such election, then at the next general, municipal or special election in and
11 for the entire city, to be held during the month of April of the odd-numbered
12 year following any such election. If no such general, municipal or special elec-
13 tion is to be held in April of any such odd-numbered year, it is the duty of such
14 election officials to call a special election for the submission of such question on
15 a day in such month. However, such petition shall in all cases be filed at least
16 thirty days prior to the date of such election."

AMENDMENT NO. 11.

Amend printed House Bill No. 741 in Senate, on page 75, in Section 86, by
2 striking out all of lines 7 to 14, both inclusive.

AMENDMENT NO. 12.

Amend printed House Bill No. 741 in Senate on page 75, in Section 86, by
2 striking out all of lines 25 to 28, both inclusive.

AMENDMENT NO. 13.

Amend printed House Bill No. 741 in Senate, on page 75, in Section 86, line
2 30, by striking out the words, "or resuming such powers", and in line 31, by
3 striking out the words, "or resumption", and in line 31, by striking out the
4 comma between the words "adoption" and "surrender" and inserting in lieu
5 thereof the word "or".

AMENDMENT NO. 14.

Amend printed House Bill No. 741 in Senate, on pages 44 and 45, by strik-
2 ing out all of Section 54a, and inserting in lieu thereof the following words:

"Sec. 54a. The Commission shall require that every public utility fur-
2 nishing natural or artificial gas, electricity or water to the public, where the

3 individual consumption is measured by meter, shall, upon written request of
4 any consumer, cause the meter reader at the time of reading such consumer's
5 meter to leave at such meter a card showing the present reading of the meter,
6 the last previous reading, and the dates of such two readings."

AMENDMENT NO. 15.

Amend printed House Bill No. 741 in Senate, on page 32, Section 39, line
2 17, by striking out the period after the word "department" and substituting in
3 lieu thereof a semicolon and inserting after the semicolon the following:

4 "and nothing in this Act contained shall be construed to prevent any rail-
5 road transportation company from granting reduced rates for the trans-
6 portation company from granting reduced rates for the transportation of any
7 material or commodity to be used in the construction, maintenance or repair of
8 public highways in the State."



1 Offered June 16, 1921.

2 Ordered printed.

AMENDMENT NO. 1 TO AMENDMENT NO. 15.

Amend Amendment No. 15 of printed amendments to House Bill No. 741 in
2 Senate, in lines 5 and 6 of said amendment as printed, by striking out the follow-
3 ing words: "for the transportation company from granting reduced rates."

4 Adopted.

AMENDMENT NO. 17.

Amend on page 72, Section 84, lines 2 and 3, by striking out the words "by
2 agreement with the city, in lieu of proceedings in the courts," "final and con-
3 clusive," and striking out in lines 5, 6 and 7 the following: "and shall be accom-
4 panied by a certified copy of the agreement on the part of the city to a review
5 by such Commission."

6 On page 73, Section 84, line 13, strike out the words "and the decision and
7 order of the Commission in such case shall be final and conclusive and not sub-
8 ject to review in any court," and insert in lieu thereof the following: "and
9 such order of the Commission shall be subject to all of the provisions of this
10 Act the same as if made in a proceeding over which the Commission had orig-
11 inal jurisdiction."

12 Adopted.

AMENDMENT NO. 19.

Amend printed House Bill No. 741 in Senate on page 74, in section 86,
2 lines 1 and 2, by striking the words "by ordinance adopted in accordance with
3 the provisions of this article."

AMENDMENT NO. 20.

Amend printed House Bill No. 741 in Senate on page 75, in section 86, by striking all of lines 15 to 24, both inclusive, and inserting in lieu thereof the following words:

“The surrender of the powers herein conferred shall be effected only after the question of such surrender has been submitted to the legal voters of such city and approved by a majority of those voting thereon. The question of the surrender of the powers conferred by this article may be submitted in the following manner: A petition signed by the legal voters of the city equal in number to at least twenty-five per cent of the legal voters of the city voting at the last preceding election for mayor or president of the village, demanding the submission of the question of the surrender of the powers conferred by this article, may be filed with the election officials having authority over election matters for such city, and it shall thereupon be the duty of such election official to submit the question of the surrender of the powers conferred by this article, to such legal voters at any municipal election at which a mayor or president of the village or any clerk or city treasurer is elected, to be held not less than thirty days after the filing of such petition. Where such petition is filed for and in any city which has adopted, and is operating under Article XIII of ‘An Act to provide for the incorporation of cities and villages,’ approved April 10, 1872, in force July 1, 1872, as amended, it shall be the duty of the election officials to submit the question of the surrender of the powers conferred by this article to the legal voters at the next election at which a mayor and commissioners are to be elected, or, if filed within thirty days before, or if filed after such election, then at the next general, municipal or special election in and for the entire city, to be held during the month of April of the odd-numbered year following any such election. If no such general, municipal or special election is to be held in April of any such odd-numbered year, it is the duty of such election officials to call a special election for the submission of such question on a day in such month. However, such petition shall in all cases be filed at least days prior to the date of such election.”

Adopted.

Mr. Dunlap offered:

AMENDMENT NO. 24.

Amend Printed House Bill No. 741 in Senate, on page 45, by inserting at the
2 end of Section 55, four new sections to read as follows:

Sec. 55a. No person shall operate any motor vehicle, along or upon any
2 public street or highway in this State, for the carriage of passengers for hire,
3 indiscriminately accepting and discharging such persons as may offer them-
4 selves for transportation, along the course on which such vehicle is operated,
5 or for the carriage of freight for hire, indiscriminately accepting and deliver-
6 ing such freight, as may be offered for transportation along such course, unless
7 he shall—

8 (1) File with the Commission, a sworn statement of his ability to pay all
9 damages which may result from any and all accidents due to the negligent use
10 or operation of such vehicle; or

11 (2) File with the Commission security, indemnity or a bond guaranteing
12 the payment by him of all such damages; or

13 (3) Insure to a reasonable amount his liability to pay such damages; and
14 unless he shall

15 (4) File with the Commission, as often as the Commission shall in writing
16 demand, in form prescribed by the Commission, evidence of his compliance
17 with the provisions of this section.

18 And in case one person operates two or more motor vehicles for such pur-
19 pose or purposes, he shall file proof of his ability to pay damages, or security,
20 indemnity or bond or insurance against damages, to the amount of the thou-
21 sand dollars (\$10,000) for each motor vehicle so operated, and shall make such
22 proof or furnish such security, indemnity, bond or insurance to cover all the
23 motor vehicles at one and the same time.

Sec. 55b. The sworn statement of financial ability, security, indemnity,
2 bond or amount of insurance, shall be subject to the approval of the Commis-

3 sion, and upon the approval thereof, the Commission shall send a written notice
 4 of such approval to the person submitting the same for approval. The filing
 5 with the Commission of evidence of compliance with Section 552 of this Act
 6 shall constitute such compliance until ten days after written notice of disap-
 7 proval thereof has been sent by the Commission to the person submitting such
 8 evidence.

Sec. 55c. Whenever the Commission refuses to approve sworn statement
 2 of financial ability, security, indemnity, bond or amount of insurance, above
 3 mentioned, the person presenting such for approval may, within thirty days
 4 thereafter, file a petition in the circuit court of Sangamon County, against the
 5 Commission as defendant, alleging therein under oath and in brief detail, the
 6 plaintiff's right to operate such motor vehicle in the manner mentioned in Sec-
 7 tion 55a hereof, and praying that the Commission be required to approve such
 8 sworn statement of financial ability, security, indemnity, bond or amount of in-
 9 surance. The court may make such orders and decrees as the equities and exi-
 10 gencies of the case may require. Judgment against the plaintiff shall be final,
 11 but shall not bar his right to file new statements or documents under the pro-
 12 visions of this Act.

13 Adopted.

Mr. Dunlap offered

AMENDMENT NO. 25.

Amend House Bill No. 741 by striking from page 10, paragraph (a) line
 2 22 of printed bill the word "goods" and insert in lieu thereof the word "grain."

3 Adopted.

1 Introduced by Committee on Education, May 4, 1921. Substitute for House Bill No.
2 606.

3 Read at large a first time, ordered printed and to a second reading.

A BILL

For an Act to amend Sections 2, 17 and 22 of an Act entitled "An Act in relation to an Illinois State Institutions Teachers' Pension and Retirement Fund," filed June 14, 1917, and in force July 1, 1917.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* That Sections 2, 17 and 22 of an Act entitled "An Act in relation
3 to an Illinois State Institutions Teachers' Pension and Retirement Fund," filed June 14,
4 1917, and in force July 1, 1917, are amended to read as follows:

Sec. 2. The provisions of this Act shall apply to any teacher employed *in office*
2 *of Superintendent of Public Instruction or* any State educational, correctional, or char-
3 itable institution, (excepting the University of Illinois), supported wholly or in part by
4 public moneys of this State.

Sec. 17. Any teacher, excepting those provided for in clause (b) of Section 15 of
2 this Act, who is a contributory to said fund who shall cease to teach in said schools or
3 institutions before becoming a member of the third class as provided in Section 7 of this
4 Act shall, if application be made in writing to the board of trustees within six months
5 after the date of his or her retirement be entitled to the return of fifty per cent of the
6 amount, without interest, which shall have been paid into the fund by such teacher. If
7 such teacher shall again thereafter teach in any school or institutions included under
8 this Act he or she shall, within *five months* from the date of his or her return to the

9 service of said school or institution, return to said fund the amount so returned to such
10 teacher, together with simple interest on said amount at four (4) per cent per annum
11 from the time such amount was withdrawn from the fund.

Sec. 22. The term "teacher" as used in this Act shall include any teacher, teacher-
2 clerk, principal, supervisor, supervising principal, president, superintendent or assistant
3 superintendent, and any certified librarian or assistant librarian, who shall be employed
4 in any State educational, correctional, or charitable institution (excepting the Univer-
5 sity of Illinois) supported wholly or in part by public moneys of this State: *Provided*,
6 that services as *Superintendent of Public Instruction or Assistant Superintendent of*
7 *Public Instruction*, county superintendent of schools, assistant county superintendent of
8 schools, teacher in any State school or institution, teacher in the public schools as defined
9 in Section 34 of an Act entitled, "An Act in relation to an Illinois State Teachers' Pen-
10 sion Fund," approved May 27, 1915, and as many as ten years of similar teaching ser-
11 vice in other states of the United States may be counted as part of the twenty-five years
12 of service required to enable the teacher to receive the annuity under this Act, subject,
13 however, to all the requirements of this Act. *Provided, further*, that the term
14 "teacher" as used in this Act shall not include any person who does not give at least
15 half time to the distinctly educational work of the institution in which he or she is
16 employed.

- 1 Introduced by Committee on Education, May 4, 1921. Substitute for House Bills Nos.
607 and 663.
- 2 Read at large a first time, ordered printed and to a second reading.

A BILL

For an Act to amend Sections 25, 25a, 27, 30 and 34 of an Act entitled, "An Act in relation to an Illinois State Teachers' Pension and Retirement Fund," approved May 27, 1915, and in force July 1, 1915.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* That Sections 25, 25a, 27, 30 and 34 of an Act entitled, "An Act
3 in relation to an Illinois State Teachers' Pension and Retirement Fund," approved
4 May 27, 1915, and in force July 1, 1915, as amended, are amended to read as follows:

Sec. 25. Any person, who has complied with the provisions of this section may
2 retire and receive an annuity provided for in the following cases:

3 (a) After a period or periods aggregating twenty-five (25) years of service as
4 teacher in the public schools of the United States of which fifteen (15) years must
5 have been spent in the public schools of this State, *included under the State Teachers'*
6 *Pension and Retirement Fund Act*, provided that the payments and deductions of his
7 or her salary have been made and turned over to said fund as provided in Sections 12

8 and 13. If said payments shall not have amounted to \$400.00, the teacher shall pay
9 into the fund the deficiency before receiving the annuity with interest as provided by
10 clause (b) of this section. No person while receiving a teacher's annuity from any
11 other public school teachers' pension or retirement fund shall receive an annuity from
12 the funds created under this Act. Nor shall any person under fifty years of age
13 receive an annuity except as provided in paragraph (c) of this section (a) 1.

14 (b) Teachers who elect to become contributors to, and beneficiaries of the said
15 Illinois State Teachers' Pension and Retirement Fund, under the provisions of this sec-
16 tion may count past services in public schools as a part of the whole of the period of
17 twenty-five years hereinafter specified, but no annuity shall be paid until said teacher shall
18 have paid into the fund a sum equal to that which he or she would have contributed under
19 the provisions of this section had he or she been a regular contributor to said fund
20 during said period of past service, together with simple interest thereon at the rate
21 of four per cent per annum from the time such payments would have been made, had
22 such person during such time been a contributor to such fund, to the time such person
23 shall by making such payments become entitled to the benefits and credits of such past
24 service.

25 (c) After fifteen years of service as teacher in the public schools, two-fifths of
26 which may be outside of Illinois, *or in the public schools not included under the State*
27 *Teachers' Pension and Retirement Fund Act*, but within the United States, any teacher
28 who shall have been declared by two competent physicians, who have made a physical
29 examination of the teacher, at the request of the board of trustees, to be suffering
30 from any disability such as to disqualify him or her for teaching, may during the con-
31 tinuance of such disability retire, provided that the payments of said teacher to the
32 fund shall have amounted to a sum, as provided in Sections 12 and 13. If said pay-
33 ment shall not amount to \$400.00, the teacher shall pay into the fund the deficiency
34 before receiving the annuity. No person while receiving a teacher's annuity from any
35 other public school teachers' pension and retirement fund shall receive an annuity from
36 the fund created under said sections.

37 (d) In computing the terms of service under clause a, b and c of this section,
 38 a year shall be a legal school year at the time and place where said service was ren-
 39 dered in public schools not included in the provisions of this section, a time less than
 40 a legal school year in this State shall not be included as a year, but only such portion
 41 of a year as the number of teaching weeks in each such year bears to the number of
 42 weeks required at the time to constitute a legal year in the State.

43 (e) Any person who has complied with the provisions of this Act and desires
 44 to retire from active service in said public schools, shall apply in writing to the board
 45 of trustees of the Illinois State Teachers' Pension and Retirement Fund.

46 (f) Any teacher coming from a public school not included within the provisions
 47 of this section who may be employed to teach in the public schools mentioned in this
 48 section may become a contributor to and beneficiary of said fund in like manner as
 49 provided in clause (b) of this section.

Sec. 25a. Any person not now employed as a teacher or not now holder of a
 2 certificate to teach, and who at the time of the going into effect of this Act had served
 3 twenty-five (25) years as teacher as defined by section 34 of this Act, three-fifths of
 4 which period has been in the public schools in the State of Illinois, may become a
 5 beneficiary of the Illinois State Teachers' Pension and Retirement Fund and receive
 6 the annuity provided by section 26 of this Act by paying into the fund the sum equal
 7 to that which he or she would have contributed had he or she been a regular con-
 8 tributor to said fund during the period of such service, together with simple interest
 9 thereon at the rate of four per cent per annum from the time such payments would
 10 have been made to the time when such person shall, by making the payments, become
 11 entitled to the benefits and credits of such past service.

Sec. 27. Any teacher who is a contributor to said fund who shall cease to teach
 2 in said public schools before becoming a member of the third class as provided in
 3 section 13, shall, if application be made in writing to the Board of Trustees within six
 4 months after the date of his or her retirement, be entitled to the return of fifty per
 5 cent of the amount, without interest, which shall have been paid into the fund by said
 6 teacher. If such teacher shall again thereafter teach in the public schools, he or she

7 shall, within *five months*, from the date of his or her return to the service of said public
 8 schools, return to said fund the amount so returned to such teacher, together with
 9 simple interest on said amount at four per cent per annum for the time such amount
 10 was withdrawn from the fund.

Sec. 30. *Any teacher who has elected or may elect to come under the provisions*
 2 *of this Act shall be entitled to compute as a part of his twenty-five (25) year period as*
 3 *such teacher, time, not to exceed one year, spent in profession preparation in a state*
 4 *normal school, reputable college, or university, by paying into the fund a sum equal to*
 5 *the amount he would have contributed, if he had been a regular contributor during*
 6 *such period: Provided that he shall have already taught at least ten years.*

7 Any teacher who has elected to come under the provisions of this act shall be
 8 entitled to compute as a part of his twenty-five (25) year period as such teacher, time
 9 spent in service with the military or naval forces of the United States during the
 10 Spanish-American War and during the war between the United States and Germany,
 11 by paying into the fund a sum equal to the amount he would have contributed if he
 12 had been a regular contributor during such period.

Sec. 34. The term "teacher" as used in this Act, shall include any teacher,
 2 teacher-secretary, substitute teacher, supervisor, principal, supervising principal, superin-
 3 tendent or assistant superintendent, who shall teach or be employed in the public
 4 schools of this State: *Provided, however, that service as county superintendent or*
 5 *assistant superintendent or as teacher in any State school or institution as defined in*
 6 *Section 22 of an Act, entitled An Act to create and administer a State institution*
 7 *teachers' pension and retirement fund, filed June 14, 1917, and in force July 1, 1917,*
 8 may be counted as a part of the twenty-five years of service required to enable a teacher
 9 to receive the annuities provided for in this Act, *subject, however, to all the require-*
 10 *ments of this Act: And provided, further, that service as a substitute teacher shall not*
 11 *be counted as a part of the twenty-five years of service required to enable a teacher to*
 12 *receive the annuities provided for by this Act unless the substitute teacher shall be*
 13 *employed for the school year and paid monthly for such service.*

1 Introduced by Mr. Clark, May 4, 1921.

2 Read by title, ordered printed and referred to Committee on Industrial Affairs.

A BILL

For an Act in relation to lead, zinc, flourspar, clay and all other mines other than coal mines and subjects relating thereto and providing for the health and safety of persons employed therein and providing penalties for its violation.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* The investigator of the Department of Mines and Minerals is
3 hereby authorized, empowered and directed to inspect thoroughly all underground
4 excavations in all lead, zinc, fluorspar and clay mines and all other mines than coal
5 mines, as often as the Director thereof or inspector designated by him may deem proper,
6 after the passage and approval of this Act, to ascertain the condition of said under-
7 ground excavations with respect to the safety of all employes working in such under-
8 ground excavations; and if, after such examination, the Director thereof or inspector
9 designated by him shall find that the safety of the employes engaged in working in such
10 excavations is imperiled by reason of there being only one shaft or outlet by which a
11 distinct means of ingress and egress is always available to such employes, it shall be the
12 duty of the Director thereof or inspector designated by him immediately to notify the

13 owner, agent or operator of such mine, in writing, specifying the particular under-
14 ground excavation so found to be unsafe or dangerous, and direct the owner, agent
15 or operator to within 30 days after receiving such notice, commence to sink another
16 shaft or outlet for such underground excavation, at some point to be agreed to by the
17 director thereof or inspector designated by him, and prosecute the sinking of such shaft
18 or outlet with all due diligence until the same is completed; and the investigator shall
19 have power, if he deem it for the safety of the employes, to order all employes
20 engaged in working in such underground excavations so found to be unsafe or danger-
21 ous, to quit work until such other shaft or outlet shall have been completed, or- until
22 further notified by the Director thereof or inspector designated by him.

Sec. 2. The Director thereof or inspector designated by him for lead, zinc,
2 fluorspar, clay and other mines other than coal mines is hereby authorized, empowered
3 and directed to inspect all underground excavations in lead, zinc, fluorspar, clay and other
4 mines other than coal mines, as often as he may deem proper, from and after the passage
5 and approval of this Act and ascertain the condition of such underground excavations
6 with respect to the health of employes engaged in working in such underground excava-
7 tions; and if, after such examination, the director thereof or inspector designated by
8 him shall find that the health of the employes is impaired by reason of there not being
9 sufficient circulation of air or ventilation for such employes, it shall be the duty of the
10 director thereof or inspector designated by him immediately to notify the owner, agent
11 or operator of such mine, in writing, specifying the underground excavation so found
12 to be unhealthful, and direct such owner, agent or operator of such mine within 10
13 days after receiving such written notice, to commence to drill a sufficient number of air
14 holes, or a shaft, with all diligence until same is completed. The director thereof or
15 inspector designated by him shall have power, if he deem it for the interest of the
16 employes, to order all employes engaged in working in such underground excavations
17 so affected by said notice to quit work until such air hole or holes or shaft shall have
18 been completed; or until further notified by such inspector.

Sec. 3. Every person, owner, agent or operator of any lead, zinc, or mines other
2 than coal mines, who shall violate any of the provisions of this Act, shall be deemed

3 guilty of a misdemeanor, and upon conviction thereof shall be punished by imprison-
4 ment in the county jail for a term not exceeding six months or by a fine not less than
5 \$100 for each offense, or by both fine and imprisonment.

Sec. 4. Any loss of life or personal injury in or about any zinc, lead, fluorspar,
2 clay mine, open pit, quarry and mines other than coal mines shall be reported within
3 ten days thereafter to the Director of the Department of Mines and Minerals by the
4 person having charge of said mine, pit, quarry and mines other than coal mines. The
5 Director thereof or inspector designated by him in case of injury, if he deems neces-
6 sary from the facts reported, and in all cases of loss of life, shall go immediately to
7 the scene of said accident and render every possible assistance to those in need.

Sec. 5. Every operator of a zinc, lead, fluorspar, clay mine, open pit, quarry and
2 mines other than coal mines shall make or cause to be made and preserve for the
3 information of the Department of Mines and Minerals, upon uniform blanks furnished
4 by said department a record of all deaths and injuries sustained by any of his employes
5 in pursuance of their regular occupation. The Director thereof or inspector desig-
6 nated by him shall investigate and ascertain the cause of such accident and make a
7 report thereof, which he shall preserve with the other records of his office; and to
8 enable him to make such investigation, he shall have the power to take depositions,
9 compel the attendance of witnesses and administer oaths or affirmations to them, and
10 the cost of such investigation shall be paid by the county court of the county in which
11 such accident shall have occurred, in the same manner as costs of coroner's inquests
12 are now paid. And a failure on the part of the persons having charge of any mineral
13 mine, other than coal mines, in which any such accident may have occurred, to give
14 notice to the investigator, as provided for in this section, shall subject such person to
15 a fine of not less than one hundred nor more than three hundred dollars, to be recov-
16 ered of him in the name of the State of Illinois, before any justice of the peace of
17 such county wherein the mine is situated, and the accident occurred, and such fine,
18 when collected, shall be paid into the county treasury for the use and benefit of said
19 county.

Sec. 6. The Director thereof or inspector designated by him may enter mines at
2 any time. It shall be lawful for the investigator provided for in this article, to enter,
3 examine and inspect any and all mines and machinery belonging thereto, at all reason-
4 able times, by day or night, but so as not to obstruct or hinder the necessary working
5 of such mines; and the owner, agent or operator of every such mine is hereby
6 required to furnish all necessary facilities for such entering, examination and inspec-
7 tion; and if the said owner, agent or operator aforesaid shall refuse to permit such
8 inspection or to furnish the necessary facilities for such entry, examination and inspec-
9 tion, the inspector or investigator shall file his affidavit setting forth such refusal before
10 the judge of the circuit court, or during vacation to a judge thereof to obtain an
11 order on such owner, agent or operator so refusing as aforesaid commanding him to
12 permit and furnish such facilities for the inspection of such mine, or to be adjudged
13 to stand in contempt of court and be punished accordingly, and if the said inspector
14 or investigator, after examination of any mine and the workings and machinery
15 pertaining thereto, shall find the same to be worked contrary to the provisions of this
16 article, or unsafe for the workmen therein employed, said investigator shall, through
17 the State's attorney of the county or any attorney in case of his refusal to act, acting
18 in the name and on behalf of the State, proceed against the owner, agent or operator
19 of such mine, either separately or collectively by injunction, without bond, after giving
20 at least ten days notice to such owner, agent or operator; and said owner, agent or
21 operator shall have the right to appear before the judge to whom application is made,
22 who shall hear the same on affidavit and such other testimony as may be offered in sup-
23 port as well as in opposition thereto; and if sufficient cause appear; the court or
24 judge in vacation, by order, shall prohibit the further working of any such mine in which
25 persons may be unsafely employed contrary to the provision of this article, until the
26 same shall have been complied with; and the court shall award such costs in the
27 matter to said injunction as may be just; but any such proceedings so commenced
28 shall be without prejudice to any other remedy permitted by law for enforcing the pro-
29 visions of this article.

Sec. 7. In all such mines in this state where more than 50 men are employed
2 underground therein a sufficient number of practical experienced miners to be designated
3 as shot firers shall be employed by the operator of said mine at its expense whose duty
4 it shall be to prepare inspection and to do all the firing of all the shots or explosions
5 of either powder or dynamite in said mine.

Sec. 8. Every such mine employing more than 25 underground in its said mines
2 shall have a sufficient number of practical experienced miners to be designated as
3 mine examiners who shall be employed by the operator of said mine and at its expense
4 whose duty it shall be to inspect all the working places of said mine within eight
5 hours of the commencement of any shift within said mine and it shall be the duty of
6 said mine examiner to mark out as dangerous any place unsafe for men to work
7 therein or thereunder and to record such unsafe place in a book to be kept for that
8 purpose where all men employed in the mine may see the same. It shall be the duty
9 of the operator of said mine through its Superintendent or other agents to see that
10 no person employed by such operator be permitted to work in any place so designated
11 as unsafe. Only such persons may act as mine examiners as have after a suitable
12 examination by the Department of Mines and Minerals be certified as competent
13 therefor.

Sec. 9. All owners, agents or operators of lead, zinc, fluorspar, clay mines, and
2 of granite, stone, sand, gravel, and other quarries, shall require all miners or other
3 persons employed in and about said mines or quarries, using blasting powder, giant
4 powder, dynamite or other explosives, to have and keep a strong box in which all
5 surplus explosives, for use in said mine or quarries shall be kept, except so much
6 thereof as is necessary for immediate use. These boxes shall be kept locked and not
7 opened unless it be to put in or take out said explosives or some part thereof; nor shall
8 these strong boxes be kept nearer than 100 feet to the place of blasting; and in all said
9 mines and quarries, shot firers or blasters shall be employed to fire all shots after the
10 employes and other persons have retired to a safe distance from the vicinity of said
11 blast or blasts; and after said blasts have been fired, said shot-firers or blasters shall

12 make a thorough examination of all holes charged, and ascertain whether the same have
13 been discharged or missed, and shall designate in some way the holes missed or un-
14 charged, and report the same to all employees working in the vicinity of such blast
15 or blasts.

Sec. 10. The provisions of the Act known as the State Mining Law and regu-
2 lating the installation and maintenance of all gates, lights, hoisting equipment and
3 brakes are hereby made applicable to the mines governed by this Act.

4 Any agent, owner or operator of any lead, zinc, fluorspar, clay, silica mines, and
5 of granite, stone, sand, gravel and other quarries in this State, violating the provisions
6 of the preceding section shall be deemed guilty of a misdemeanor, and for each offense,
7 upon conviction, shall be fined not less than \$50 nor more than \$200.



- 1 Introduced by Mr. Hurst, May 4, 1921.
- 2 Read by title, ordered printed and referred to Committee on Farm Drainage.

A BILL

For an Act for the organization of "Upper Apple Creek Drainage District" for the reclama-
tion and improved drainage of lands therein by special assessments upon the property
benefited thereby.

WHEREAS, The watershed of that portion of Apple Creek between the line where
the section line, between Sections Twenty (20) and Twenty-one (21) in Township
Number Twelve (12) North, Range Number Ten (10) West, of the Third Principal
Meridian, the Easterly terminus, and the line where the section line, between Sections
Twenty-six (26) and Twenty-seven (27) in Township Number Eleven (11) North,
Range Number Thirteen (13) West, of the Third Principal Meridian, the Westerly
terminus, situated in the County of Greene in the State of Illinois, and the watersheds
of its tributaries tributary between said termini contain large areas of land which are
subject to overflow or damage by reason of inadequate drainage and levee facilities
and can be advantageously and economically improved if organized into a drainage dis-
trict as hereinafter provided for; and

WHEREAS, The said Apple Creek in said county with its tributaries between the
termini above designated is the outlet for large areas of land in said county, and the
channel of said Apple Creek between said termini is extremely tortuous, of very

15 irregular depth and width, in many places filled solid with drifts causing the waters
16 therein to overflow; and

17 WHEREAS, The valley of said Apple Creek between the termini above designated
18 varies in width from about a half a mile to about three or four miles, and the table
19 lands on each side of said Apple Creek valley between said termini are from about
20 thirty to sixty feet higher than said valley, with steep or abrupt hills sloping into said
21 valley, with numerous brooks, smaller streams flowing out of the said hills, and larger
22 creeks flowing through long tributary valleys heading many miles back in the said table
23 lands, said tributary valleys being tributary to and emptying into said Apple Creek
24 valley from valleys immediately tributary to said Apple Creek valley between said
25 termini, spreading the waters from such tributary streams, brooks and valleys not only
26 over such tributary valleys but also over said Apple Creek valley to the detriment of
27 health and agriculture in said Apple Creek valley and such tributary valleys; and

28 WHEREAS, The straightening, deepening and widening of the present channel of
29 Apple Creek or the making of one or two channels down Apple Creek valley with spoil
30 banks on either side of such channel or channels will leave the lands behind the said spoil
31 banks of Apple Creek channel or channels subject to overflow and inundation from the
32 hills, tributary streams and tributary valleys, the waters thereof spreading over the said
33 Apple Creek valley lands with inadequate opportunity to quickly reach the main channel
34 or channels, thereby destroying crops and making said lands untillable and less valu-
35 able; and

36 WHEREAS, The waters from the said tributary valleys and tributary streams are from
37 watersheds extending many miles back into the said table lands and are from other and
38 different watersheds than Apple Creek valley watershed, although tributary thereto;
39 and to protect the said tributary valleys immediately adjoining Apple Creek valley from
40 overflow from the tributary streams therein and from overflow from said Apple Creek
41 valley, and to protect Apple Creek valley lands from overflow from such tributary
42 valley streams and from Apple Creek it is necessary to construct from the proposed
43 main channel or channels of Apple Creek valley branch drains or ditches up and into

44 such tributary valleys within the drainage district hereinafter described and provided
45 for a sufficient distance, with side drains to the side hills thereof with the spoil banks
46 on the lower side of said side drains to said hills so as to collect and confine the waters
47 of such tributary valleys in a channel or channels flowing into the main channel or
48 channels proposed to be constructed to drain said Apple Creek valley within the said
49 drainage district hereinafter described; and it is also necessary to include the lands of
50 the watersheds of Apple Creek valley and of the tributary valleys aforesaid which are
51 contained within the boundaries as hereinafter described of the said drainage district as
52 hereinafter provided for for reclamation and improved drainage and protection from
53 overflow as aforesaid; and

54 WHEREAS, The homes or residences, of the owners of the lands lying within said
55 valleys in said proposed drainage district are for the most part situated on the table
56 lands on either side of said Apple Creek valley and are not within the proposed drain-
57 age district, but a small per cent residing therein, it is necessary therefore because of
58 probable flood conditions in said Apple Creek valleys on days of election of officers of
59 said district, preventing attendance at elections of a large part of said owners of land,
60 that special provisions be made regarding the methods and place of holding election of
61 officers of said drainage district, to the end that opportunity be given to the largest
62 number of such owners of land to participate in said elections; and

63 WHEREAS, Because of the conditions aforesaid and because the said territory is
64 very extensive in area and ownership and is in several different watersheds, all tribu-
65 tary, however, to said Apple Creek, and the outlet of said tributary streams and valleys
66 are for adequate drainage dependent upon the drainage of said Apple Creek valley, and
67 because the undertaking for the prevention of overflow and of reclamation and drainage
68 of the lands in the said valley of Apple Creek and the lands in the valleys of said streams
69 tributary thereto tributary between said termini, is necessarily a single united and com-
70 prehensive undertaking, and can only be accomplished by the construction as a unit of a
71 complete single united system of drains, ditches and levees in said Apple Creek valley
72 and in such tributary valleys; it is impracticable to organize the said territory into a

73 drainage district under the general drainage laws of this State; therefore, for the
74 accomplishment of said purpose,

SECTION 1: *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* That all the lands within the watershed hereinafter described of
3 Apple Creek valley in the County of Greene and State of Illinois, said watershed lying
4 and being situate between the line, where the section line between Sections Twenty
5 (20) and Twenty-one (21), Town Twelve (12) North, Range Ten (10) West, of the
6 Third Principal Meridian, county and State aforesaid, crosses the said Apple Creek
7 valley, said line being the Easterly terminus, and the line, where the section line
8 between Sections Twenty-six (26) and Twenty-seven (27), Town Eleven (11) North,
9 Range Thirteen (13) West, of the Third Principal Meridian, county and State afore-
10 said, crosses said Apple Creek valley, said line being the Westerly terminus, and lying
11 and being situate between the lateral boundaries as hereinafter described of said Apple
12 Creek watershed between said termini above designated; and also, all the lands within
13 the watersheds hereinafter described and defined of streams and valleys tributary to said
14 Apple Creek valley tributary within the termini above designated, but not extending
15 farther up said tributary streams and tributary valleys than three-quarters of a mile as
16 hereinafter defined and described from the line as hereinafter defined and described of
17 Apple Creek valley, said tributary watersheds lying and being situate between and within
18 the lateral and terminal boundaries as hereinafter defined of the said watersheds of said
19 tributary streams and tributary valleys tributary as aforesaid between said above
20 designated termini, are hereby organized into a drainage district with the boundaries as
21 herein defined and described to be known as "Upper Apple Creek Drainage District."

22 (a) The said lateral boundaries of said Apple Creek watershed between the
23 termini above designated and the said lateral and terminal boundaries of the said water-
24 sheds of the said tributary streams and tributary valleys tributary to said Apple Creek
25 valley tributary between the termini above designated are hereby defined and described
26 as follows:

27 A certain point to be known as Datum "E" on the top of the levee thirty (30)
28 feet West of a closed gate, which gate is situated across the Eastern end of said levee

29 where the Eastern end of the top of said levee joins or touches a certain hill, said point
 30 being also in the longitudinal center line of the top of said levee, said hill being situate
 31 on the Easterly side of said Apple Creek valley, which said levee is now extant and
 32 was built and constructed from said hill Westerly parallel with, near and on the South
 33 side of the North line of the West sixty (60) acres of the South half of the Northwest
 34 quarter of Section Twenty-nine (29), Town Twelve (12) North, Range Ten (10)
 35 West, of the Third Principal Meridian, County of Greene and State of Illinois, to said
 36 Apple Creek and constructed thence Southward down the Easterly side of said Apple
 37 Creek; on the surface of the Westerly slope of said hill East of said Datum "E" and
 38 on the Easterly continuation of the aforesaid longitudinal center line of the top of said
 39 levee and five (5) feet perpendicular above said Datum "E" shall be and is hereby estab-
 40 lished a second point, Datum "F" from which Datum "F" by a system of levels and
 41 surveys the boundaries aforesaid of all the aforesaid watersheds are hereby established
 42 and determined and located as follows:

43 From said Datum "F" there is hereby established a point, Datum "B," on the side
 44 of the hill on the left bank of said Apple Creek valley (facing down stream), said
 45 Datum "B" to be located on the section line forming the said Westerly terminus herein-
 46 above designated, which Datum "B" shall be as many feet and inches lower than Datum
 47 "F" as there is fall or difference in elevation in said valley between the line, Datum "F"
 48 to Datum "E" extended Westerly across said Apple Creek valley, and the line of the
 49 Westerly terminus above designated, said fall in the aforesaid valley between the
 50 aforesaid Westerly extension of the line Datum "F" to Datum "E" and said Westerly
 51 terminus above designated shall be determined by means of a profile from levels taken
 52 of the bed of the main channel of said Apple Creek, making due allowance for local
 53 rises and depressions in said stream bed.

54 Using the grade from Datum "B" to Datum "F" and continuing said grade up-
 55 stream there is hereby established a point, Datum "A," where said continued grade
 56 line will intersect said section line forming the Easterly terminus above designated on
 57 the hill slope on the same left-hand side of said Apple Creek valley (facing down
 58 stream.)

59 A point Datum "D" is hereby established on the said section line forming the
 60 Easterly terminus above designated on the slope of the hill on the opposite side (being
 61 the right-hand side, facing down stream) of said Apple Creek valley from Datum "A"
 62 and on the same level with said Datum "A."

63 There shall be and is hereby established a point, Datum "C," on the said section
 64 line forming the Westerly terminus above designated on the slope of the hill on the
 65 opposite side of said Apple Creek valley, opposite said Datum "B" and on the same
 66 level with said Datum "B."

67 The grade line from Datum "A" to Datum "B" shall be known as the "left grade
 68 line" and the grade line from Datum "D" to Datum "C" shall be known as the "right
 69 grade line" of said Apple Creek watershed.

70 The said lateral boundaries of said Apple Creek watershed from Datum "A" to
 71 Datum "B" and from Datum "D" to Datum "C," and the said lateral boundaries of the
 72 watersheds of said tributary streams and tributary valleys tributary to said Apple Creek
 73 valley tributary between the termini above designated are hereby established, deter-
 74 mined and located as follows:

75 From Datum "A" to Datum "B" the "left grade line" throughout its length shall
 76 be extended horizontally to the left (facing down stream) and from Datum "D" to
 77 Datum "C" the "right grade line" throughout its length shall be extended horizontally
 78 to the right (facing down stream), each of said extended lines respectively touching at
 79 all points the hills and slopes following around the hills and uplands into all sides of
 80 the recesses, hollows, ravines, tributary streams, creeks, and the tributary valleys and
 81 up both sides of tributary streams, creeks and valleys, tributary as aforesaid between
 82 Datum "A" and Datum "B" and tributary between Datum "D" and Datum "C"
 83 respectively, but not farther up said creeks and tributary valleys than to a line to be
 84 hereinafter described and to be known as the "three-quarters of one mile line" across
 85 said tributary streams, from the "line of Apple Creek valley" hereinafter designated
 86 and defined; said "line of Apple Creek valley" shall be determined by drawing an
 87 imaginary line from the point in the said lateral boundary line so extended horizontally
 88 to the left from the "left grade line" or so extended to the right from the "right grade

89 line" as the case may be, where such lateral boundary line passes around the hill on
 90 the Apple Creek side thereof and at the most prominent point directly facing Apple
 91 Creek valley, which said hill being also adjacent to and forming a side of said tributary
 92 streams or tributary valleys aforesaid, across the mouth or outlet of such tributary
 93 streams or tributary valleys aforesaid to a point in the lateral boundary line aforesaid
 94 on a hill adjacent to and forming the opposite side of said tributary stream or valley
 95 and forming also a side of said Apple Creek valley, said point being on the Apple Creek
 96 side of said hill and at the most prominent point directly facing said Apple Creek
 97 valley. Said "three-quarters of one mile line" is a line to be drawn and extended
 98 across said tributary stream or tributary valley aforesaid at right angles to the center
 99 line or at right angles to the tangent of the center line of said tributary valley at a point
 100 on said center line three-quarters of one mile from the first above described imaginary
 101 line of Apple Creek valley, which said line across said tributary streams and valleys at
 102 the point three-quarters of one mile as aforesaid up said stream from the "line of
 103 Apple Creek valley" shall be extended across said tributary streams and tributary
 104 valleys to the points on each side thereof respectively, where it intersects the boundary
 105 lines so horizontally extended from the grade lines aforesaid.

106 Said left boundary line from Datum "A" to Datum "B" and said right boundary
 107 line from Datum "D" to Datum "C" shall each respectively be a continuous line, the
 108 one from Datum "A" to Datum "B" and the other from Datum "D" to Datum "C,"
 109 each respectively following as aforesaid around the hills and uplands into all sides of
 110 the recesses, hollows, ravines, tributary streams, creeks and the tributary valleys, and
 111 up the streams and valleys tributary as aforesaid to the point where the same shall
 112 intersect the extension of the above described three-quarters of one mile line up a
 113 tributary valley, thence following said three-quarters of one mile line across such
 114 stream or valley to the lateral boundary line aforesaid on the opposite side of such
 115 tributary stream or valley, thence in the same manner around the hills and uplands into
 116 all sides of the recesses, hollows, ravines, and so on to the respective datum points on
 117 the said line forming the Westerly terminus of said Apple Creek watershed.

Sec. 2. At any time after this act shall take effect, upon petition presented to it by any number of adult persons not less than fifteen, owning land within any part of the aforesaid area, it shall be the duty of the County Court of said county to appoint a competent civil engineer to survey and locate on the ground the boundaries of said drainage district and to establish permanent bench marks at the datum points of said drainage district named in Section 1 hereof. Said engineer shall make a report, in writing, of and showing said survey and location on the ground of the boundaries of said drainage district, the establishment of permanent bench marks at the datum points, a description of the lands within the boundaries of said drainage district, together with the names and last known addresses of the owners of said lands within said drainage district; which said report shall be accompanied by a plat of said drainage district, showing the boundaries thereof and the lands included therein, all in accordance with Section One (1) of this act. The said civil engineer's report shall be verified by him and shall be set down for hearing by the court at some date within forty days after the day of the filing thereof.

(a) Three weeks' notice of such hearing shall be given by publication by the clerk of said court, which notice shall be published in some newspaper of general circulation in said county once each week for three consecutive weeks prior to the date set for hearing and shall be in substantially the following form:

State of Illinois, }
Greene County. } ss.

UPPER APPLE CREEK DRAINAGE DISTRICT.

To All Persons Interested:

You are hereby notified that the civil engineer appointed by the County Court of the county aforesaid to survey and locate on the ground the boundaries of said drainage district and to establish permanent bench marks at the datum points of said drainage district and report in writing to the court showing said survey, location on the ground of the boundaries of said drainage district, the establishment of permanent bench marks at the datum points, a description of the lands within the boundaries of said drainage district, together with the names and last known addresses of the owners of

31 said lands within said drainage district, has completed his said report and filed the
 32 same, accompanied by a plat of said drainage district showing the boundaries thereof
 33 and the lands included therein as required by law, with the undersigned clerk of said
 34 County Court.

35 You are further notified that said report is set for hearing at the Court House
 36 in.....on the.....day of.....A. D. 19....,
 37 at the hour of.....o'clock,M., when and where any person interested may
 38 appear and controvert the findings of such report.

39 Dated this.....day of.....A. D. 19....

40
 41 Clerk of the County Court.

42 The certificate of the publisher of the newspaper in which said notice shall be
 43 printed, shall be received as *prima facie* evidence of the due publication thereof.

44 (b) At the time fixed for hearing upon such report, the said County Court shall
 45 proceed to determine whether the said civil engineer so appointed by the court has
 46 correctly performed the duty required of him by this act by virtue of his appointment
 47 as aforesaid by said court for which purpose the verified report of said civil engineer
 48 shall be *prima facie* evidence of the correctness of the performance of the said duties
 49 required by this act to be so by him performed; and any person interested may appear
 50 and contest the correctness of said report and offer any competent evidence with
 51 reference thereto; provided, that any objection to said report shall be in writing and
 52 shall specify in what particular the said engineer has made a mistake in said survey and
 53 location of said boundaries on the ground or in the plat, the description of the land, the
 54 names of the owners, or otherwise in reference thereto.

55 (c) After hearing all evidence that may be offered upon the issues thus raised,
 56 the said County Court shall make its findings of fact and shall thereupon enter an order
 57 embracing said findings, which shall be substantially in the following form:

58 "IN THE MATTER OF UPPER APPLE CREEK DRAINAGE DISTRICT.

59 This cause coming on to be heard on this.....day of.....
 60 A. D. 19...., on the report of the civil engineer heretofore duly appointed by the court

61 to survey and locate on the ground the boundaries of said district within the County of
62 Greene and State of Illinois and to perform the further duties required by law in
63 reference thereto; and the said civil engineer having heretofore made his report in
64 writing to the court, the same having been set for hearing, and evidence having been
65 submitted to the court as to the giving of notice of the time and place of this hearing
66 and with reference to the correctness of said report, and the court having fully con-
67 sidered the same as required by statute, it is by the court found as follows: That
68 three weeks' notice of the time and place of this hearing has been given by the clerk
69 of this court by publication as required by law of a notice in the form and substance
70 prescribed by the statute, once each week for three consecutive weeks prior to this
71 date and the coming on of this hearing, and that the court has jurisdiction of the sub-
72 ject matter of this proceeding and over all persons interested in the same.

73 It is further found by the court that the location on the ground of the boundaries
74 of said "Upper Apple Creek Drainage District" and the establishment of the permanent
75 bench marks thereof within said County of Greene and State of Illinois, are located and
76 established in the manner prescribed, defined and located by statute, which said boun-
77 daries and establishment of bench marks are as follows: (Here describe the complete
78 boundary of drainage district within said county and describe the location and estab-
79 lishment of the permanent bench marks of said district within said county.)

80 It is further found by the court that the descriptions of all the lands lying and
81 being situate within said boundaries of said district are as follows: (Here describe all
82 the lands within the boundaries of said district).

83 It is further found by the court that names so far as known of the owners of
84 lands in said district, with their last known addresses, are as follows: (Here write the
85 names and last known addresses of said owners).

86 It is further found by the court that the plat made by said engineer accompanying
87 and filed herein with the said report of said engineer is a true and correct plat showing
88 correctly the boundaries of said district and all the lands within said district situated
89 within the said County of Greene.

90 It is therefore considered, ordered and adjudged by the court that the boundaries
91 and permanent bench marks of the Upper Apple Creek Drainage District in the

92 County of Greene and State of Illinois are located on the ground in accordance with
 93 the directions of Section 1 (one) of an Act entitled "An Act for the organization of
 94 'Upper Apple Creek Drainage District for the reclamation and improved drainage
 95 of lands therein by special assessments upon the property benefited thereby,' and Upper
 96 Apple Creek Drainage District within the boundaries aforesaid is now duly established
 97 as provided by law."

98 The said order of the court and plat showing the location and boundaries of the
 99 territory described in said order, together with the names and last known addresses of
 100 the owners of land within said district, and the petition for the location of said boun-
 101 daries, the notices and due publication thereof, the order appointing said civil engineer
 102 and the report filed by said engineer shall be recorded in full by the clerk of the said
 103 court in the drainage record of his county.

104 (d) The order entered as provided by paragraph "c" of this section shall be final
 105 and conclusive; and all courts of this State within the jurisdiction of which said drain-
 106 age district is situated, shall take judicial notice of the corporate existence of said dis-
 107 trict and of the powers and authority of its officers.

108 (e) The civil engineer appointed, and his assistants, to locate said boundaries
 109 shall receive reasonable compensation for their services, with their necessary expenses,
 110 to be paid by said drainage district on the approval and the order of said County
 111 Court.

Sec. 3. The said County Court of Greene County after entry of the final order
 2 provided by paragraph (c) of Section 2 hereof shall thereupon enter an order fixing
 3 the date, not less than sixty nor more than sixty-five days from the date of the entry of
 4 said order, for the first election of commissioners of said drainage district, in which
 5 order it shall designate a convenient place in said county as a polling place for such
 6 election for the adult owners of lands owning lands lying in said drainage district
 7 entitled to vote at such election and shall designate three of such voters to act as judges
 8 of the election to be so held. The said County Court of Greene County shall thence-
 9 forth have jurisdiction at any common law or probate term thereof to determine all
 10 matters pertaining to the said drainage district and all subsequent proceedings of the

11 district; and the clerk of said County Court shall be *ex officio* the clerk of said drainage
12 district and shall be allowed fees as clerk as is provided in the act named in Section
13 11 hereof. He shall keep a permanent well bound record in which he shall record all
14 orders, documents, matters and things hereinbefore or hereinafter in this act required
15 to be recorded, and the order of said court fixing the time and place and designating
16 the judges of said election and all subsequent records of the commissioners pertaining
17 to said drainage district. Said clerk from time to time shall record the names and
18 addresses of persons becoming owners of land in said district.

19 (a) Meetings of commissioners and elections for said district need not be held
20 inside the boundaries of said district, but shall be held, however, within the said
21 County of Greene.

Sec. 4. The commissioners of said drainage district shall be three in number and
2 must be adult owners of land lying in said district and legal voters in said County of
3 Greene. They shall be nominated and elected by the adult land owners owning land
4 within the boundaries of said district, having at the time of nomination or election
5 respectively, the qualification also of voters for members of the General Assembly of
6 the State of Illinois. Any number of such adult land owners not less than fifteen may
7 nominate by petition not more than three persons possessing the qualifications above as
8 candidates for commissioners of said district; provided, that said nominating petitions
9 must be filed with the clerk of said drainage district not more than forty, nor less than
10 thirty, days before the time fixed for the election of commissioners. Said county clerk
11 shall within five days after the last day for filing nominating petitions as above, cause
12 the names of all persons thus nominated to be printed upon a ballot to be used for the
13 election of said commissioners, arranging the names in the order of the filing of their
14 nominating petitions; before each name on the ballot there shall be placed a square
15 similar to that used on the ballots of general State elections. Said ballots shall be
16 headed "Official ballot for commissioners of Upper Apple Creek Drainage District,"
17 followed by the words: "Vote for three only" except as hereinafter provided. Said
18 ballots shall bear upon the back the printed certificate of the clerk of said County Court
19 that they are the official ballots to be used in the election of commissioners of said

20 drainage district stating the date of said election, and a sufficient number thereof shall
21 be printed and delivered or transmitted by him to the judges of election, and also a
22 sufficient number of ballots to mail one to each person entitled to vote at said election.

23 (a) Said clerk shall also cause to be printed a sufficient number of large envelopes
24 addressed to himself with notations thereon as hereinafter provided to be used by
25 voters who desire to vote an "absent voters" ballot as hereinafter provided and shall also
26 print blank affidavits to be used in reference thereto.

27 (b) The clerk of said drainage district shall give notice of the date and the hours
28 of such election and of the polling place selected therefor by a notice to be published once
29 in a newspaper of general circulation in such county, at least fifty days before the time
30 fixed for holding said election; and shall, at least fifty days before the time for such
31 election, cause three notices in the same form, accompanied by sample ballots marked as
32 such and printed on paper of a distinctive color, to be posted at three public places
33 within said drainage district. Said clerk of said district shall enter his certificate in
34 the records of said district of the posting of notices and sample ballots of said election
35 and publication thereof.

36 (c) The expense of printing and distributing the ballots, election notices, poll
37 books and tally sheets shall be paid in the first instance by the officer charged with the
38 duty of preparing or furnishing the same out of any available fund provided for the
39 expenses of his office, which shall be repaid by the said drainage district. For their
40 services in acting as judges and clerks of said election, the officers herein designated
41 for that purpose shall receive each the sum of five dollars.

42 (d) If any of the judges designated to hold said election shall not appear at the
43 time of opening the polls, the judge or judges present, or if none are present the voters
44 present shall select some other person or persons entitled to vote at such election, to act in
45 place of the absentee or absentees.

46 (e) The polls of such election and all subsequent elections shall open at 9 A. M.
47 and close at 5 P. M. The judges shall also act as clerks of election and shall conduct
48 the same generally in a manner prescribed by the General Election Laws of this State,
49 the provisions whereof defining offenses and prescribing penalties therefor shall be
50 applicable hereto.

51 (f) Only adult land owners owning land lying within the said drainage district,
 52 and having the qualifications mentioned in Section 4 of this act shall be entitled to vote
 53 at any such election. Voting shall be secret and only the aforesaid official ballot shall
 54 be used, the voter expressing his choice by marking a cross in the square of the candi-
 55 date for whom he wishes to vote. If more than three candidates are thus marked on
 56 a single ballot, the same shall be rejected.

57 (g) Returns of such elections shall be made by said judges promptly to the clerk
 58 of said drainage district, by returning to said clerk the poll books, tally sheets and
 59 their certificate of the result of said election, together with the ballots cast, sealed in
 60 an envelope and marked (ballots voted) which ballots shall be kept by said clerk for six
 61 months and shall also return in another envelope all unused and spoiled ballots (so
 62 marked) and shall return envelopes and affidavits of absent voters in an envelope (so
 63 marked), and said clerk shall, within five days after the receipt of said returns canvass
 64 the same, tabulate the entire vote received by each candidate for commissioner, and
 65 record the same in the official record of said drainage district.

66 Should there be a tie between two or more of the candidates for commissioner, the
 67 said clerk in the presence of the judge of the county court shall by lot determine the
 68 candidates or candidate elected and shall file and record his certificate in reference thereto.

69 (h) In addition to the privilege of every qualified adult land owner to vote in
 70 person at any and all elections for officers of the said district, the following special
 71 provisions are made so that any of said qualified adult land owners may as "absent
 72 voters" vote at any and all such elections by ballot, without personally attending said elec-
 73 tion, if they so desire.

74 The said county clerk shall cause to be printed and obtain for each election a
 75 sufficient number to supply every voter entitled to vote at such election, envelopes form
 76 "A," blank affidavits form (1), and form (2), as follows: envelopes form "A" shall
 77 have printed thereon the name and address of the said county clerk and also at the left
 78 end thereof on the face thereof the following "Form A": "Upper Apple Creek Drain-
 79 age District." "This envelope contains the ballot and affidavit form (2) of.....,

80 said ballot to be voted at the first election next ensuing held for said District. This
81 envelope unopened shall be delivered by the county clerk to the judges of said election.

82 (Signature)

(Official title _____)

(of officer)

(making jurat at)

83 (affidavit form (2)).....”

84 Affidavit form (1) shall be as follows:

85 "Affidavit form (I)

86 State of } ss.

87 County of)

....., being first duly sworn on his oath deposes and
(name of voter)

90 says, that he is a qualified adult land owner owning land in Upper Apple Creek Drain-
91 age District, that he is entitled to vote at the election to be held on the.....

92 day of.....A. D.....,
93 (printing the date and place in the proper blank)

94 for commissioners, that affiant may not attend in person said election and desires an
95 "official ballot" that he may cast "an absent voters ballot," affiant will use said ballot
96 for that purpose only.

.....
(Signature of voter)''

99 "Subscribed and sworn to before me this

100 day of.....A. D.....

IO1
IO2 (Official title)"

103 Affidavit form (2) shall be as follows:

104 "Affidavit form (2)

105 State of }
106 County of } ss.

IO7 , being first duly sworn on his oath deposes and
IO8 (name of voter)

109 says, that upon his affidavit form (1) he has received from the county clerk envelope

110 form "A" and this blank affidavit form (2) and "an official ballot," that he is the
 111 same..... who made affidavit form (1), that he is a quali-
 112 fied adult land owner owning land in "Upper Apple Creek Drainage District" and is
 113 entitled to vote at the election to be held on the.....day of.....

114 A. D..... at.....
 115 (printing the date and place in the proper blank)

116 for commissioners, that affiant may not attend in person said election, that affiant has
 117 secretly marked said "official ballot" folded the same so as to conceal the persons voted
 118 for, that he will enclose said ballot so folded in envelope form "A" together with his
 119 affidavit properly sworn to before some officer entitled to administer oaths which officer
 120 will sign at the proper place the form on envelope form "A." Affiant requests the
 121 judges of said election to receive and deposit the enclosed "official ballot" in the ballot
 122 box the same as if he was personally present and voting at such election.

123
 124 (Signature of Voter)"

125 "Subscribed and sworn to before me this
 126 day of.....A. D.....

127
 128 (Official title)"

129 (i) Any qualified voter who desires to vote as "an absent voter" may apply to
 130 the said county clerk not earlier than twenty nor later than five days before an election
 131 for an "official ballot" by using form of affidavit (1).

132 The county clerk immediately on receipt of such affidavit form (1) properly signed
 133 and sworn to shall deliver to or send by mail to such affiant (voter) envelope form
 134 "A," blank affidavit form (2), and an "official ballot" to be used at said election.

135 The county clerk shall receive not earlier than twenty days before and not later
 136 than five o'clock P. M. of the day before such election all envelopes form "A" sealed
 137 and properly signed by the officer "making jurat to affidavit form (2)," and shall safely
 138 keep and deliver all such envelopes so received by him within the dates aforesaid and
 139 stamped by him as hereinafter provided, to the judges of such election after the polls
 140 thereof shall be open and before the same close on such election day. Said clerk shall

141 mark or stamp the date and hour on each such envelopes that the same was received
142 by him.

143 (j) The said judges of such election shall receive from said county clerk all
144 sealed envelopes form "A" properly endorsed which the said clerk is herein authorized
145 to deliver to them, and they shall open each of such envelopes and if the "official
146 ballot" is folded and is contained therein and is accompanied by "affidavit form (2)"
147 properly executed and sworn to they shall deposit said ballot in the ballot box and
148 record such voter as voting, and they shall preserve said envelopes and affidavits and
149 return them with the poll lists, tally sheets, etc., to said county clerk.

150 (k) It is especially a condition of voting an a "absent voters ballot" that the failure
151 from any cause of such ballot of any "absent voter," to reach said judges of election,
152 such failure shall not invalidate or alter the result of said election.

153 It is provided that if any such "absent voter" shall in person attend at such elec-
154 tion before his envelope form "A" shall have been opened by such judges he may per-
155 sonally vote as other voters and in that event said judges shall return unopened said
156 envelope to him.

157 When any voter shall in person have voted at such election and such voter's
158 envelope as an "absent voter" shall be later delivered to such judges, then such judges
159 shall deliver such envelope unopened to said voter if present, or be by them returned
160 unopened with the poll lists to said county clerk, to be by him destroyed without open-
161 ing after six months.

162 Any person knowingly making a false statement in either affidavits form (1) or
163 form (2) shall be deemed guilty of perjury and shall be punished accordingly.

Sec. 5. The three persons receiving the highest number of votes (or selected in
2 case of a tie) at such election as ascertained and declared by the clerk of said district,
3 shall be the commissioners of said drainage district. Said clerk shall record in the
4 Drainage Record the date of said election and the names of persons declared elected,
5 and shall so record all subsequent elections and shall record the oath and bond of each
6 commisisoner required to be taken and given. The said Drainage Commissioners so
7 declared elected shall take the oath provided by law for commissioners to take in the

8 act referred to in section 11 of this act, and shall give bond with sureties to be approved
9 by the judge of said County Court, in the penal sum of one thousand dollars con-
10 ditioned for the faithful discharge of all duties of their office. Said commissioners shall
11 hold their office for a term of six years and until their successors are elected and quali-
12 fied, provided, that at such first election, after the county clerk shall have canvassed the
13 vote as aforesaid, he shall in the presence of the judge of the county court in such
14 manner as the judge may direct, by lot choose from the three candidates so elected the
15 name of one such candidate to serve for two years, one to serve for four years and
16 one to serve for six years, and file and record his certificate in reference thereto, and
17 the term of each so determined by lot shall terminate on the third Tuesday of Sep-
18 tember of the second year, the fourth year, and the sixth year respectively, after the
19 year in which the first election shall be held. Their successors shall be nominated and
20 elected one every two years in the same manner and shall qualify as aforesaid and hold
21 their office for the term of six years. Successive biennial elections of such commis-
22 sioners shall be held on the third Tuesday of September in each succeeding second
23 year; and the procedure for nominating, calling, selecting polling places and judges,
24 giving notice of and holding the elections and making returns and declaring the result
25 thereof and all provisions in reference thereto herein, shall be as hereinabove provided
26 in the case of the first election.

27 Ballots for subsequent elections shall designate the number of commissioners to
28 be elected and whether a full term, or to fill vacancies. In case of vacancies caused
29 by death ceasing to be a legal voter of said county or for good cause shown, shall be
30 ousted from his office or by resignation or other cause, special elections to fill said
31 vacancies shall be called by the County Court and held in the same manner with like
32 procedure as in case of regular elections.

Sec. 6. The said drainage commissioners shall receive from said District for
2 their services, the sum of ten dollars for each day they are actually and necessarily
3 employed in and about the performance of the duties of their office; but for each day's
4 service in which the time actually devoted thereto shall be less than four
4½ hours, they shall receive only one-half that amount; in addition thereto, they

5 shall be entitled to reimbursement for all expenses actually and necessarily incurred
6 by them in and about their services as such commissioners. They shall appoint a
7 treasurer whose term shall be for a period of two years, who shall be a resident of
8 Greene county and said treasurer shall maintain and keep accurate books of accounts
9 of said district and shall maintain books for the collection of assessment upon all
10 lands of the said district. Said treasurer shall furnish bond with sureties to be
11 approved by the County Court in the penal sum of at least double the amount of assess-
12 ments likely to be in his hands at any one time, conditioned for the due accounting for
13 all funds received by him as such treasurer, and that he will turn over to his successor
14 at the end of his term all books, accounts, papers and documents of said district and
15 all such funds, except such as may be paid out by him upon orders of the commis-
16 sioners. Said treasurer shall receive for his services a commission not exceeding two
17 per centum of all moneys collected by him to be fixed by the commissioners with the
18 approval of the County Court.

Sec. 7. From and after the entry of the aforesaid order of the County Court of
2 said Greene County locating on the ground the boundaries of said district and after the
3 election of the first commissioners thereof the said district is hereby declared to be
4 fully organized and established as a drainage district by the name and style of
5 *Upper Apple Creek Drainage District* and with the boundaries thereof
6 fixed, determined and located as aforesaid. Said district shall be a body politic and
7 corporate with all rights, powers, functions, duties and privileges herein provided for.
8 And the commissioners chosen as herein prescribed shall constitute the corporate au-
9 thorities of said district and shall exercise the functions and powers thereof and do
10 and perform all such acts and things as may be necessary for the accomplishment of
11 the purpose of this act.

Sec. 8. After they shall be elected and qualified, the commissioners of said
2 drainage district shall go upon the territory of said district, the lands therein, the
3 channel of said Apple Creek between the termini designated in Section 1 hereof, and
4 the streams and valleys tributary to said Apple Creek valley tributary within the

5 termini designated in Section 1 hereof, and examine the same so far as may seem need-
6 ful, with a view to the improvement within said district of said Apple Creek between
7 the termini designated in Section 1 hereof and for the improvement of the tributary
8 streams of the tributary valleys and other tributary streams all tributary to said Apple
9 Creek and Apple Creek valley tributary between the termini designated in Section 1
10 hereof and determine upon, locate, design, and lay out and plan a single complete, com-
11 prehensive united system of drains, ditches, levees and embankments or other work in
12 said Apple Creek valley and in such tributary streams and such tributary valleys,
13 tributary thereto between the termini designated in Section 1 hereof, as in their judg-
14 ment is necessary for the accomplishment of the purposes of this act to promote the
15 reclamation and drainage of the lands in said district for agricultural and sanitary
16 purposes, having in view the future contingencies as well as the present, and to protect
17 the said lands not only from the waters of the said Apple Creek but from the waters
18 of streams tributary thereto between the termini designated in Section 1 hereof.

19 They shall have proper surveys, levels, profiles, plans and specifications made of
20 the work which they may determine to be necessary, and shall file their report showing
21 their determinations, accompanied with a copy of said surveys, levels, profiles, plans
22 and specifications, together with their estimate of the cost of the proposed work includ-
23 ing the cost and expenses of said proceeding and the estimated benefits to the lands,
24 railroad rights of way and public highways within said district, affected thereby, with
25 the clerk of the County Court of said Greene County. Said commissioners shall have
26 the right to employ all necessary engineers and assistants to assist in said duties.

Sec. 9. Upon the filing of said report, the judge of said court shall fix the time
2 not less than four, nor more than six weeks after the filing of said report for the
3 hearing thereon in said court, and notice thereof shall be given by the clerk of such
4 court by a publication in some newspaper of general circulation in the county aforesaid
5 for at least three consecutive weeks prior to the time for such hearing, and said clerk
6 shall file and record his certificate of the publication of the notice herein required, to-
7 gether with a copy of said notice, which notice may be in substantially the following
8 form:

9 State of Illinois, }
 10 Greene County. } ss.

11 *To All Persons Interested:*

12 You are hereby notified that the commissioners of Upper Apple Creek Drainage
 13 District have filed in the County Court of the county aforesaid, their report, together
 14 with a copy of the surveys, levels, profiles, plans and specifications of the work pro-
 15 posed by them to be constructed in said drainage district together with their estimate of
 16 the cost thereof and estimate of the cost and expenses of such proceedings.

17 You are further notified that said report is set for hearing on the.....
 18 day of.....A. D. 19...., before the said County Court in.....
 19 in said county, at the hour of.....o'clock....M., when and where any person inter-
 20 ested may appear and be heard with reference to said report.

21 Dated this.....day of.....A. D. 19....
 22
 23 Clerk of the County Court.

24 The notice by publication as aforesaid shall be sufficient to confer jurisdiction upon
 25 the said County Court of Greene County to hear and determine said matter,

Sec. 10. At the time of the hearing upon said report any person interested may
 2 appear and contest the confirmation of said report or show that any other additional
 3 work than that proposed in the report should be constructed or that the report ought to
 4 be modified in any particular, but all objections thereto shall be in writing, and any
 5 competent evidence may be heard on the issues made, but the said report of said commis-
 6 sioners shall be *prima facie* evidence of the facts and conclusions set forth therein.
 7 And, such proceedings shall be had as are provided for in Section 14 and 15 of the act
 8 mentioned in Section 11 hereof, and the court shall thereupon, after hearing all objec-
 9 tions so made in writing that may be made to the report of the commissioners, enter an
 10 order approving or modifying the report of said drainage commissioners and determin-
 11 ing the benefits to lands, railroad rights of way and public highways within said district
 12 benefited thereby, and the estimated cost and incidental expenses of the work to be
 13 constructed, together with the necessary expenses incurred in the organization of the

14 district, all of which shall be raised by special assessment on the lands, railroad rights
 15 of way and public highways within said district benefited thereby; but no proposed work
 16 shall be by the court approved and ordered if the estimated costs and expenses thereof
 17 shall exceed the benefits to be derived therefrom by the lands, railroad rights of way
 18 and public highways within said district.

19 After the order entered by the court approving the plans for the work to be done
 20 in the said district the commissioners shall proceed to acquire the right of way releases of
 21 damages for the construction of the proposed work by agreement with the land owners
 22 so far as they may be able to agree with said land owners and they shall make out and
 23 file the "commissioners' roll of assessments of benefits and damages" with the Clerk of
 24 the Court and cause a hearing to be had thereon on notices given, and in the manner pro-
 25 vided for in Section 17, 17a, 17b, 17½ and 18 of the act referred to in Section 11
 26 hereof, but the commissioners shall file with the "commissioners' roll of assessments of
 27 benefits and damages" an affidavit giving the names and places of residence of all non-
 28 resident owners of land within the district if known, and if unknown, stating that upon
 29 diligent inquiry their places of residence cannot be ascertained.

Sec. 11. Except as otherwise herein specifically provided for, said Upper Apple
 2 Creek Drainage District, its commissioners, clerk and treasurer and the County Court
 3 having jurisdiction over it shall have and exercise the same rights, duties, obligations,
 4 privileges, powers, functions, and procedure in the control, management, maintenance
 5 and operation of said drainage district, the laying out and construction of work therein,
 6 the levying of assessments of benefits and damages, the issuance of bonds, the organiza-
 7 tion and management of sub-districts, as is provided for in the act entitled: "An Act
 8 to provide for the construction, reparation and protection of drains, ditches and levees,
 9 across the lands of others, for agricultural, sanitary and mining purposes, and to pro-
 10 vide for the organization of drainage districts." Approved and in force May 29, 1879,
 11 and all acts amendatory thereto now and hereafter in force. The said act to govern in
 12 all matters pertaining to said district and to be applicable thereto in all respects except
 13 as otherwise provided for in this act.



1 Adopted May 17, 1921.

AMENDMENT NO. 1.

Amend printed House Bill No. 745 by inserting after the comma (,) after
 2 the word "valley" and before the word "and" on page 3 thereof in line 66 of
 3 last "Whereas" on said page 3, the following:
 4 And because the tributary valleys aforesaid are narrow and so limited in area
 5 and extent that the benefits to lands therein benefited would not equal the cost
 6 of construction of lateral main outlets from the proposed channel of Apple
 7 Creek up into said tributary valleys to afford drainage thereof and protection
 8 from overflow, the construction of such laterals is rendered impossible unless
 9 all and each of such lateral channels are made a part of the entire system and
 10 all of the respective lateral channels to be paid for along with the main chan-
 11 nel by all the lands in Apple Creek valley and the tributary valleys as a part
 12 of the whole work proposed according as the lands are benefited.

AMENDMENT NO. 2.

Amend printed House Bill 745 by striking out on page 15 thereof all of
 2 lines 82 and 83 in clause (h) of section 4, and inserting in lieu thereof the fol-
 3 lowing:

4 (Signature) _____

5 _____
 Official title of officer making jurat to affidavit form (2).

AMENDMENT NO. 3.

Amend printed House Bill 745 by striking out on page 18 thereof all of line
 2 29 in Section 5, and inserting in lieu thereof the following: "by death, ceasing
 3 to have any of the qualifications for commisioner for good cause shown shall be"

AMENDMENT NO. 4.

Amend printed Hous Bill 745 on page 3 in line 58 by striking out the letter
 2 "s" in the word "valleys" so the same shall read "valley."

AMENDMENT NO. 5.

Amend printed House Bill 745 on page 14 in line 78 clause (h) Section 4
 2 by striking out the colon (:) after the word and letter "Form A":

AMENDMENT NO. 6.

Amend printed House Bill 745 on page 15 in line 92 clause (h) Section 4 by in-
 2 serting after the comma (,) at the end of the short blank line after the letters
 3 "A. D." the word "at":

AMENDMENT NO. 7.

Amend printed House Bill 745 on page 17 in line 150 clause (k) section 4
 2 by striking out the letter "a" before the words "absent voters ballot":

AMENDMENT NO. 8.

Amend printed House Bill 745 on page 19 in line 11 Section 7 by adding
 2 the letetr "s" to the word "purpose" so that same shall read "purposes."

AMENDMENT NO. 9.

Amend printed House Bill 745 on page 20 in line 18, Section 8 by inserting
 2 the word "the" after the word "of" and before the word "streams" at the
 3 beginning of said line.

AMENDMENT NO. 10.

Amend printed House Bill 745 on page 22 in line 11, section 11 by striking
 2 out the word "and" between the word "now" and the word "hereafter" and
 3 inserting in lieu thereof the word "or".



- 1 Introduced by Mr. Gregory, May 4, 1921.
- 2 Read by title, ordered printed and referred to Committee on Waterways.

A BILL

For an Act to amend "An Act creating a Rivers and Lakes Commission for the State of Illinois and defining the duties and powers thereof" approved June 10, 1911, in force July 1, 1911, as amended, by adding section 29B thereto.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That "An Act creating a Rivers and Lakes Commission for the State of Illinois and defining the duties and powers thereof," approved June 10, 1911, in force July 1, 1911, as subsequently amended, be amended by adding Section 29B thereto, to read as follows:

Sec. 29B. Before any work is begun in this State for the reclamation of swamp, cut-over and overflowed lands, all plans for such work shall be submitted to the Department of Public Works and Buildings for approval, and all acts or parts of acts in conflict herewith are hereby repealed.



- 1 Introduced by Mr. Stanfield, May 4, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Sections 1, 2, 3, 4, 5, 6 and 7 of an Act entitled: "An Act to revise the law in relation to county surveyors and the custody of the United States field notes," approved March 2, 1874, in force July 1, 1874, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: Sections 1, 2, 3, 4, 5, 6 and 7 of an Act entitled: "An Act to revise the law in relation to county surveyors and the custody of the United States field notes," approved March 2, 1874, in force July 1, 1874, as amended, are amended to read as follows:*

Sec. 1. That every county surveyor shall, before entering upon the duties of his office, take and subscribe and file in the office of the county clerk, the following oath: I do solemnly swear (or affirm, as the case may be) that I will support the Constitution of the United States and the State of Illinois, and that I will discharge the duties of the office of county surveyor to the best of my ability; and he shall also file with the said county clerk a bond to the People of the State of Illinois, as follows: In counties of the first and second class the

8 bond shall be in the penal sum of two thousand (\$2,000.00) dollars, and in
 9 counties of the third class the bond shall be in the penal sum of ten thousand
 10 (\$10,000.00) dollars, with two sureties, or a surety company bond to be ap-
 11 proved by the county clerk conditioned for the faithful and impartial discharge
 12 of the duties of his office.

13 Whoever, not being a duly elected and qualified county surveyor, shall hold
 14 himself out or pretend to be, or shall advertise by having the words "county
 15 surveyor" upon business cards, or advertise in any other way, or act, or repre-
 16 sent himself to be a county surveyor or a deputy, shall forfeit and pay the sum
 17 of not less than twenty-five (\$25.00) dollars nor more than two hundred (\$200.-
 18 00) dollars for each offense, to be recovered before any court of competent jur-
 19 isdiction in an action of debt to be brought in the name of the People of the
 20 State of Illinois for the benefit of the school fund of the district in which the
 21 recovery is had.

Sec. 2. *The county surveyor may appoint one or more deputies for whose*
 2 *official acts he shall be responsible, which appointment or a revocation thereof*
 3 *shall be in writing, under his hand, and filed with the county clerk.*

Sec. 3. *Every chairman and flagman employed in making surveys pur-*
 2 *suant to the provisions of this Act shall first take an oath that he will faith-*
 3 *fully discharge his duties as such, which oath the county surveyor, or the deputy*
 4 *making the survey, is hereby authorized to administer.*

Sec. 4. (a) *The county surveyor shall keep his office in the county court*
 2 *house in a suitable room or rooms which shall be provided by the county, and*
 3 *the county shall furnish him with all necessary office fixtures, fire-proof vault,*
 4 *cases, suitable articles, telephone, materials, blank books, and blanks necessary to*
 5 *the proper discharge of the duties of his office.*

6 (b) *It shall be the duty of the county surveyor either by himself or his*
 7 *deputy, to make all survey that he may be called upon to make within his*
 8 *county, as soon as may be after application is made, and to verify all plats and*

9 place his official seal thereon before they are recorded. He shall make all sur-
 10 veys either by himself or deputy, in accordance with the original surveys and the
 11 laws of the United States government surveys.

12 (c) The certificate of the county surveyor, or his deputy, or any survey
 13 made by them of any lands in the county, shall be prima facie evidence of the
 14 facts therein contained, unless such surveyor or deputy shall be interested
 15 therein. Whenever a survey may be required of any land in which the county
 16 surveyor, or any of his deputies, shall be interested or when, from any cause,
 17 there shall be no county surveyor or deputy county surveyor to be found in the
 18 county, or able to act, such survey must then be made by the county surveyor of
 19 some other county or some of his deputies, in like manner and to the same effect
 20 as if such survey had been made by the county surveyor where the land is
 21 situated.

22 (d) The county surveyor, in person or by deputy, shall make an exact record
 23 of surveys and he shall be surveyor or in charge of all surveys, excepting the en-
 24 gineering work in connection with highways and bridges, within his county re-
 25 quired by the county or township officials, or by any order of any court, or by
 26 application of any person or persons thereof.

27 (e) Each county surveyor shall procure a seal impressing the words "Coun-
 28 ty Surveyor," followed by the name of his county and State, and every plat offi-
 29 cially signed by him or his deputy, as such surveyor, shall be stamped with this
 30 seal. No plat of any nature showing measurements, shall be recorded by any
 31 county official without the official seal of the county surveyor.

32 (f) Any county surveyor may take the statement under oath or affirma-
 33 tion of witnesses whose evidence may be useful in establishing any part of a
 34 survey. He may take an attest, by his seal, acknowledgements of plats, deeds,
 35 affidavits and other documents relative to real estate in the manner provided
 36 for notaries public, and such acknowledgements, oaths or affirmations, when so
 37 taken and attested, shall have the same force and effect, and receive the same

38 recognition in court of record and elsewhere that is accorded acknowledgements,
 39 oaths and affirmations taken by other duly authorized person.

40 (g) Any county surveyor, or his deputy, while in the performance of his
 41 duty, together with his assistants, shall have the right to enter or cross any lot,
 42 tract or parcel of land or right-of-way or upon or over any building on such land
 43 without being subject to trespass, but subject only to the right of the owner of such
 44 land to collect any actual damage by such entry.

45 (h) Any person interfering with the county surveyor, his deputy or his
 46 assistants in the proper discharge of his duties shall be subject to a fine of not
 47 less than twenty dollars or more than two hundred dollars, and to such additional
 48 damage as his interference has caused, said fine and damage to be recovered in the
 49 same manner as provided in section 1 of this Act.

Sec. 5. The county surveyor shall at the expense of the county procure
 2 from the United States General Land Office, and from the Auditor of State,
 3 certified copies of the original field notes of the government and state survey
 4 plats, together with the field notes of the section corners and witness thereof,
 5 to each township in his county, and cause the same to be preserved in a book by
 6 him provided for that purpose, which shall be deposited in the county survey-
 7 or's office for the use of the landholders in said county, a certified copy from
 8 said book from the county surveyors shall be received as prima facie evidence
 9 when the original would be received. The county surveyor for such govern-
 10 ment survey shall receive a minimum fee of three (\$3.00) dollars for each certi-
 11 fied tract or section and an additional fee of one (\$1.00) dollar for each addi-
 12 tional adjoining tract or section that may be included in the same certificate,
 13 from the person or persons ordering the plat certified to, one-half of said fee to
 14 be paid by the county surveyor to the county treasurer, and when so paid, it
 15 shall become a part of the general revenue of the county.

Sec. 6. (a) For the purpose of perpetuating every survey, he shall, when
 2 requested by the person or persons ordering the survey, establish the corners

3 by taking bearing trees and noting particularly their course and distance, and
 4 where there are no trees with a reasonable distance, the corners shall be
 5 marked by stones or other permanent monuments, firmly placed in the ground.
 6 He shall also, when requested, furnish the person or persons for whom the survey
 7 is made, a plat and certificate of the survey.

8 (b) No person, village, town or city authorities, or other public official ex-
 9 cept as hereinafter provided, shall remove or obliterate any section or frac-
 10 tional section or a reservation, grant or United States boundary line, or any
 11 recorded marker or monument. If any person, village, town or city authori-
 12 ties desire permission to remove or obliterate any such monument or marker
 13 either temporarily or permanently he shall apply in writing to the county
 14 surveyor of the county in which said monument is wholly or partially situated,
 15 may grant at the expense of the applicant such permission, first making pro-
 16 vision for preserving the exact location of the original boundary or marker
 17 by causing proper witness markers to set up, or other means taken which
 18 shall, with proper designation and measurement, indicate the position of the
 19 original marker or monument. The surveyor shall cause a full description
 20 and designation of such witness markers and monuments so made and set up
 21 be recorded in the office of the county surveyor and a copy of such description to be
 22 forwarded to the city, village or town clerk.

23 (c) Any person or official who violates the provisions of the preceding par-
 24 agraph, or who wilfully or maliciously disturbs or injures the monuments or
 25 markers aforesaid, shall be punished by a fine of not less than twenty dollars
 26 or more than two hundred dollars, or by imprisonment for not more than six
 27 months.

Sec. 7. (a) The office of the county surveyor shall be one of record. The
 2 county surveyor shall make and keep in a book to be provided for that purpose
 3 an accurate record of all surveys made by himself or his deputies for the pur-
 4 pose of locating any lands or road lines, or fixing any corner or monument by

5 which the same may be determined whether official or otherwise, which sur-
 6 veys shall include corners, distances, angles, calculations, plats and a description
 7 of the monuments set up, with reference thereto as will aid in finding the same,
 8 together with the names of the parties for whom made, and the date of making
 9 the same, which book shall be kept as a public record by the county surveyor at
 10 his office and shall be at all proper times open to the inspection and examination by
 11 all persons interested therein.

12 (b) Any field notes of surveys made in the county by competent surveyors
 13 upon the proper verifications, and duly certified by such surveyor to be correct,
 14 shall be recorded, if presented for record, by the county surveyor upon the payment
 15 of the following fees:

16 For every one hundred words fifteen cents, twenty-five cents for each cer-
 17 tificate attached thereto and twenty-five cents for the certificate of the county
 18 surveyor of the time of filing the instrument for record, and the book and page
 19 of the record. Any plat of surveys made in the county by any competent sur-
 20 veyor upon the proper verification, and duly certified by such surveyor to be cor-
 21 rect, shall be recorded if presented for record by the county surveyor upon the
 22 payment of the following fee:

23 For maps or plats of additions, sub-divisions or otherwise, for each tract,
 24 parcel or lot contained therein, fifteen cents, and twenty-five cents for each cer-
 25 tificate attached thereto, and twenty-five cents for the certificate of the surveyor
 26 of the time of filing same for record, and the book and page of the record.
 27 For certified copies of field notes, or any plat of surveys the fees shall be the
 28 same as is herein allowed for recording. Provided, that a minimum fee of two
 29 (\$2.00) dollars shall be charged for the recording of any field notes or surveys,
 30 plat, of surveys, or a certified copy of either. One-half of all fees, as are pro-
 31 vided for in this section, received by the county surveyor shall be paid to the
 32 county treasurer, and when paid shall become part of the current revenue of
 33 the county.

34 (c) *A certified copy of any field notes, of surveys, or plats of surveys under*
35 *the hands of any county surveyor shall be prima facie evidence of the facts*
36 *therein stated; and it shall be the duty of the county surveyor upon the pay-*
37 *ment of the fees as provided, to furnish any person applying for the same, a*
38 *certified copy of any field notes of surveys or plat of surveys recorded in his*
39 *office, or recorded in the office of the county recorder.*

40 (d) Every county surveyor who shall refuse or neglect to record any sur-
41 vey made within sixty days after such survey is completed as herein provided,
42 shall forfeit and pay a penalty of ten dollars (\$10.00) for each and every sur-
43 vey not thus recorded, to be recovered in any court of competent jurisdiction in
44 an action of debt to be brought in the name of the People of the State of Illi-
45 nois; and when collected to be paid into the county treasury of the county in
46 which the refusal or neglect occurred, and to become part of the current reve-
47 nue of the county.



- 1 Introduced by Mr. Stanfield, May 4, 1921.
- 2 Read by title, printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Section 24 of an Act entitled, "An Act concerning fees and salaries, and to classify the several counties of this State with reference thereto," approved March 29, 1872, in force July 1, 1872, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 24 of an Act entitled, "An Act
3 concerning fees and salaries, and to classify the several counties of this State
4 with reference thereto," approved March 29, 1872, in force July 1, 1872, as
5 amended, is amended to read as follows:

Sec. 24. *The fees of the county surveyor shall be as follows: In counties of*
2 *the first and second class, the surveyor shall receive, from the person or persons*
3 *ordering the work done, a fee of twelve (12) dollars and all expenses per day*
4 *of eight hours actually and necessarily employed in the discharge of his duties,*
5 *including the time necessarily required in preparing for and making of the sur-*
6 *vey, making the plat and recording the same in the county surveyor's record,*
7 *and no record of any plat or survey shall be made until such fee is paid. In coun-*

8 ties of the third class the surveyor shall receive, from the person or persons
9 ordering the work done, a fee of twenty (\$20) dollars and all expenses per day
10 for each day of eight hours actually and necessarily employed in the discharge of
11 his duties, including the time necessarily required in preparing for and making
12 of the survey, making the plat and recording the same in the county surveyor's
13 record, and no record of any plat or survey shall be made until such fee is paid.

1 Introduced by Mr. Searcy, May 4, 1921.

2 Read by title, ordered printed and referred to Committee on Elections.

A BILL

For an Act to amend Sections 1, 2, 4, 6, 28, 30, 35 and 43 of "An Act to provide for the holding of primary elections by political parties," approved March 9, 1910, in force July 1, 1910, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in*
2 *the General Assembly:* Sections 1, 2, 4, 6, 28, 30, 35 and 43 of "An Act to provide
3 for the holding of primary elections by political parties," approved March 9, 1910,
4 in force July 1, 1910, as amended, are amended to read as follows:

Sec. 1. The nomination of all candidates for all elective State, congressional,
2 county, city, town or village offices (including officers of the municipal court of
3 Chicago), and for the election of precinct, ward and state central committeemen, and
4 delegates and alternate delegates to national nominating conventions, by all political
5 parties, as defined by Section 2 of this Act, shall be made in the manner provided
6 in this Act and not otherwise; *and this Act shall not apply to the nomination of*
7 *candidates for offices other than those mentioned in this section.*

Sec. 2. A political party which at the general election for State and county offi-
2 cers then next preceding a primary polled more than 2 per cent of the entire vote

3 cast in the State, is hereby declared to be a political party within the State, and
4 shall nominate all candidates provided for in this Act under the provisions hereof.

5 A political party which at the general election for State and County officers then
6 next preceding a primary cast more than 2 per cent of the entire vote cast within any
7 Congressional district, is hereby declared to be a political party within the meaning
8 of this Act, within such Congressional district, and shall nominate its candidates for
9 Representative in Congress within said district under the provisions hereof.

10 A political party which at the general election for State and county officers then
11 next preceding a primary cast more than 2 per cent of the entire vote cast in any
12 county is hereby declared to be a political party within the meaning of this Act within
13 said county, and shall nominate all county officers in said county under the provisions
14 hereof.

15 A political party which at the general election for city, *town* and village officers
16 then next preceding a primary cast more than 2 per cent of the entire vote cast in
17 any city, *town* or village, is hereby declared to be a political party within the mean-
18 ing of this Act within said city, *town* or village and shall nominate all city, *town* or
19 village officers in said city, *town* or village under the provisions hereof.

Sec. 4. The following words and phrases in this act shall, unless the same be
2 inconsistent with the context, be construed as follows:

3 1. The word "primary," the primary election provided for in this act.

4 2. The word "election," a general election, as distinguished from a special elec-
5 tion or a primary election.

6 3. The word "precinct," a voting district heretofore or hereafter established by
7 law within which all qualified electors vote at one polling place.

8 4. The words "State office," or "State officer," an office to be filled, or an officer
9 to be voted for, by qualified electors of the entire State, including United States Sen-
10 ator and Congressman at large, and delegates and alternate delegates at large to
11 national nominating conventions.

12 5. The words "congressional office" or "congressional officer," Representatives in
13 Congress, delegates or alternate delegates to National nominating conventions, when

14 such delegates or alternate delegates are chosen by congressional districts.

15 6. The words "county office" or "county officer," an office to be filled or an
16 officer to be voted for, by the qualified electors of the entire county; members of
17 board of assessors and county commissioners of Cook County.

18 7. The words "city office," and "village office," or "city officer" and "village
19 officer," an office to be filled or an officer to be voted for by the qualified electors of
20 the entire city or village, as the case may be, including aldermen.

21 8. The words "town office" or "town officer," an office to be filled or an officer
22 to be voted for by the qualified electors of an entire town.

23 9. The word "town," as used in this act, shall be construed to mean an incor-
24 porated town.

Sec. 6. A primary shall be held on the second Tuesday in April in every year
2 in which a President of the United States is to be elected, for the purpose of electing
3 delegates and alternate delegates to National nominating conventions and for the pur-
4 pose of securing an expression of the sentiment and will of the party voters with re-
5 spect to candidates for nomination for the office of President of the United States.
6 A primary shall be held on the first Wednesday after the second Tuesday in September
7 in every year in which officers are to be voted for on the first Tuesday after the first
8 Monday in November of such year for the nomination of candidates for such offices
9 mentioned in *Section 1 of this Act* as are to be voted for at such November election.
10 Whenever in this act the term "April primary" or equivalent words shall appear, such
11 term or such words shall be construed to refer to and include the primary to be held
12 on the first Wednesday after the second Tuesday in September as well as to the pri-
13 mary to be held on the second Tuesday in April.

14 A primary shall be held on the last Tuesday in February in each year for the
15 nomination of such officers mentioned in *Section 1 of this Act* as are to be voted for
16 on the first Tuesday in April of such year.

17 A primary shall be held on the second Tuesday in March in each year for the
18 nomination of such officers mentioned in *Section 1 of this Act* as are to be voted for
19 on the third Tuesday in April of such year.

20 A primary for the nomination for all other officers, nominations for which are
 21 required to be made under the provisions of this act, shall be held three weeks preced-
 22 ing the date of the general election for such offices respectively.

23 The polls shall be open from 6 o'clock a. m. to 5 o'clock p. m.

Sec. 28. The name of no candidate for nomination, or State central committeeman,
 2 or ward committeeman, or candidate for delegate or alternate delegate to National
 3 nominating conventions, shall be printed upon the primary ballot unless a petition for
 4 nomination shall have been filed in his behalf as provided in this Act in substantially
 5 the following form:

6 "We, the undersigned, members of and affiliated with theparty
 7 and qualified primary electors of said.....party, in the.....
 8 of....., in the county of.....and State of Illinois, do
 9 hereby petition that the following named person or persons shall be a candidate or
 10 candidates of the.....party for the nomination for the office or
 11 offices hereinafter specified to be voted for at the primary election held on the
 12day of....., A. D.....

13	Name.	Office.	Address.
14	John Jones.....	Governor.....	Belvidere, Illinois.
15	Thomas Smith.....	Attorney General.....	Oakland, Illinois.

16	Name.....	Address.....
----	-----------	--------------

17	State of Illinois,	} ss.
18County,	

19 I,, do hereby certify that I am upwards of the age
 20 of twenty-one years, that I reside at No.....Street, in the
 21 of.....county of.....and State of Illinois, and that the
 22 signatures on this sheet were signed in my presence, and are genuine, and that
 23 to the best of my knowledge and belief the persons so signing were at the time of
 24 signing said petitions qualified voters of the.....party, and that
 25 their respective residences are correctly stated, as above set forth.

26	.....
27	.....

29

30

Such petition shall consist of sheets of uniform size, and each sheet shall contain above the space for signatures an appropriate heading giving the information as to name of candidate or candidates, in whose behalf such petition is signed; the office, the political party represented, place of residence, and such other information or wording as required to make the same valid; and the heading of each sheet shall be the same. Such petition shall be signed by qualified primary electors residing in the political division for which the nomination is sought in their own proper persons only, and opposite the signature of each signer, his residence address shall be written (and if a resident of a city having a population of over 10,000 by the then last preceding federal census, the street number of such residence shall be given). At the bottom of each sheet of such petition shall be added a statement, signed by an adult resident of the political division for which the candidate is seeking a nomination, stating his residence address (and if a resident of a city having a population of over 10,000 by the then last preceding federal census, also stating the street and number of such residence) certifying that the signatures on that sheet of said petition were signed in his presence, and are genuine; and that to the best of his knowledge and belief the persons so signing were at the time of signing said petitions qualified voters of the political party for which a nomination is sought. Such statement shall be sworn to before some officer of the county in which the person making such statement resides, authorized to administer the oaths therein. Such sheets before being filed, shall be neatly fastened together in book form, by placing the sheets in a pile and fastening them together at one edge in a secure and suitable manner, and the sheets shall then be numbered consecutively. The sheets shall not be fastened by pasting them together end to end, so as to form a continuous strip or roll. Said petition, when filed, shall not be withdrawn or added to, and no signatures shall be revoked except by revocation filed in

58 writing with the clerk or other proper officer with whom the petition is required
 59 to be filed, and before the filing of such petition. Whoever, in making the sworn
 60 statement above prescribed, shall knowingly, wilfully, and corruptly swear
 61 falsely, shall be deemed guilty of a perjury, and on conviction thereof, shall be
 62 punished accordingly. Whoever forges the name of a signer upon any petition
 63 required by this act, shall be deemed guilty of a forgery and on conviction
 64 thereof shall be punished accordingly.

65 Petitions of candidates for nomination for offices herein specified, to be filed with
 66 the same officer, may contain the names of two or more candidates of the same politi-
 67 cal party for the same or different offices.

68 Such petitions for nomination shall be signed:

69 (a) If for a State office, by not less than one thousand (1,000) nor more than
 70 two thousand (2,000) primary electors of his party;

71 (b) If for a congressional office, by at least one-half of one per cent of the
 72 qualified primary electors of his party in his congressional district, as the case may be;

73 (c) If for a county office, by at least one-half of one per cent of the qualified
 74 electors of his party cast at the last preceding general election in his county: *Pro-*
 75 *vided*, that if for the nomination for county commissioner of Cook County, then by
 76 at least one-half of one percent of the qualified primary electors of his party in his
 77 county in the district or division in which such person is a candidate for nomination.

78 (d) If for a city, *town* or village office to be filled by the electors of the entire
 79 city, *town* or village, by at least one-half of one per cent of the qualified primary
 80 electors of his party in his city, *town* or village; if for elderman, by at least one-half
 81 of one per cent of the voters of his party of his ward.

82 (e) If for State central committeeman, by at least one hundred (100) of the
 83 primary electors of his party of his congressional district.

84 (f) If for a candidate for ward comitteeman, by at least one-half of one per
 85 cent of the primary electors of his party of his ward.

86 (g) If for any other office, by at least ten (10) primary electors of his party
 87 of the district or division for which nomination is made.

Sec. 30. All petitions for nominations shall be filed as follows:

1. Where the nomination is to be made for a State, congressional, or for any office a nomination for which is made for a territorial division or district which comprises more than one county or is partly in one county and partly in another county or counties, then such petition for nomination shall be filed in the office of the Secretary of State not more than sixty (60) and not less than forty (40) days prior to the date of the primary.

2. Where the nomination is to be made for a county office, or ward committeeman, then such petition shall be filed in the office of the county clerk not more than sixty (60) nor less than forty (40) days prior to the date of the primary.

3. Where the nomination is to be made for an office to be filled by the electors of an entire city, *town* or village, including aldermen, such petitions for nomination shall be filed in the office of the city or village clerk not more than thirty (30) nor less than twenty (20) days prior to the date of the primary.

4. Where the nomination is to be made for an office to be filled by the electors of a town, then such petition for nomination shall be filed in the office of the town clerk not more than thirty (30) and not less than twenty (20) days prior to the date of the primary.

5. The petitions of candidates for State central committeeman shall be filed in office of the Secretary of State not more than sixty (60) and not less than forty (40) days prior to the date of the primary.

6. The Secretary of State and the various clerks with whom such petitions for nominations are filed shall endorse thereon the day and hour on which each petition was filed.

7. Any person for whom a petition for nomination or committeeman has been filed may cause his name to be withdrawn by request in writing, signed by him and duly acknowledged before an officer qualified to take acknowledgments of deeds, and filed in the office of the Secretary of State not less than thirty-five (35) days, or with the proper clerk not less than twenty (20) days prior to the date of the primary, and no names so withdrawn shall be certified by the Secretary of State to the county clerk, or printed on the primary ballot.

32 8. Each person seeking to be elected as delegate or alternate delegate to
 33 the National nominating convention of his party shall file, along with his nom-
 34 inating petition, a statement in writing signed by him in which he shall state
 35 the name of the candidate of his choice for nomination for President of the
 36 United States, or in lieu thereof, may file a statement to the effect that he has
 37 no preference for candidate for President of the United States. The Secretary
 38 of State shall not permit a petition of a candidate for delegate or alternate
 39 delegate to the National nominating convention to be filed unless accompanied
 40 by the statement required in paragraph 8 of this section. Any candidate for
 41 President of the United States for whom a preference is stated by any candi-
 42 date for delegate or alternate delegate to a nominating convention, may, at any
 43 time after filing of such petition and before the name of such candidate for
 44 delegate or alternate delegate to a National nominating convention is certified
 45 to the various county clerks for printing, file in the office of the Secretary of
 46 State an instrument in writing disavowing the candidacy of the person who has
 47 so filed a nominating petition for delegate or alternate delegate to a National
 48 nominating convention and in case such candidate for President of the United
 49 States shall disavow the candidacy of the candidate for delegate or alternate dele-
 50 gate, as aforesaid, the name of such candidate for delegate or alternate delegate so
 51 disavowed shall not be certified to the various county clerks for printing upon the
 52 official primary ballot.

Sec. 35. The primary ballot of each political party for each precinct shall be
 2 arranged and printed substantially in the manner following:

3 1. At the top of the ballot shall be printed in large capital letters, words
 4 designating the ballot—if a Republican ballot, the designating words shall be:
 5 “REPUBLICAN PRIMARY BALLOT;” if a Democratic ballot, the designating
 6 words shall be, “DEMOCRATIC PRIMARY BALLOT;” and in like manner for
 7° each political party.

8 2. Beginning not less than one inch below designating words, the name of
 9 each office to be filled shall be printed in capital letters and in the following

10 order, to-wit: President of the United States, State offices, congressional offices,
 11 members of the State central committee, county offices, city, village and town offices,
 12 or of such of the said offices as candidates are to be nominated for at such primary,
 13 and ward committeemen.

14 Below the name of each office shall be printed in small letters the directions
 15 to voters: "Vote for one;" "Vote for two;" "Vote for three;" or a spelled
 16 number designating how many persons under that head are to be voted for.

17 Below the name of each office shall be printed in capital letters the names
 18 of all candidates, arranged in the order in which their petitions for nomination
 19 were filed, except as otherwise provided in section 33 of this act, for the nomina-
 20 tion for said offices which are entitled to be placed upon the respective party
 21 primary ballot. Below the name of each candidate for delegate and alternate
 22 delegate to National nominating conventions shall be printed the name of the
 23 candidate for President of the United States for whom such delegate or alter-
 24 nate delegate has expressed a preference, or if no choice has been expressed
 25 shall be printed the words "No preference." The names of all candidates upon
 26 the primary ballot shall be printed in a column. Immediately opposite and in
 27 front of the name of each candidate shall be printed a square and all squares
 28 upon the primary ballot shall be of uniform size. Spaces between the names
 29 of candidates under each office shall be uniform and sufficient spaces shall separate
 30 the names of candidates for one office from the names of candidates for another
 31 office, to avoid confusion.

32 3. At the bottom of the primary ballot and under the heading, "For precinct
 33 committeeman," a space sufficiently large shall be left in which the primary electors
 34 may write or attach the name of one primary elector of his party in the precinct as
 35 his choice for precinct committeeman. No square need be placed in front of the name
 36 of the person voted for for precinct committeeman: *Provided, however,* the provisions
 37 of this sub-section three (3) of section 35, shall not apply to precincts within the
 38 territorial limits of an incorporated city or village having a population of two hun-
 39 dred thousand (200,000) or over.

Sec. 43. Every person having resided in this State one year, in the county ninety
 2 days, and in the precinct thirty days next preceding any primary therein, who was an
 3 elector in this State on the first day of April in the year of our Lord 1848, or ob-
 4 tained a certificate of naturalization before any court of record in this State prior to
 5 the first day of January, in the year of our Lord 1870, or who shall be a male citizen
 6 of the United States above the age of twenty-one years, shall be entitled to vote at
 7 such primary: *Provided, however,* that all women citizens of the United States above
 8 the age of twenty-one years having resided in the State one year, in the county ninety
 9 days, and in the election district thirty days, next preceding any primary election held
 10 therein, may vote at such primary for the nomination of candidates for such offices as
 11 such women may vote for at the election for which such primary is held.

12 The following regulations shall be applicable to primaries.

13 No person shall be entitled to vote at a primary:

14 (a) Unless he declares his party affiliations as required by this Act;

15 (b) Who shall have signed the petition for nomination of a candidate of any
 16 party with which he does not affiliate, when such candidate is to be voted for at the
 17 primary;

18 (c) Who shall have signed the nominating papers of any independent candidate
 19 for any office for which office candidates for nomination are to be voted for at such
 20 primary; or

21 (d) If he shall have voted at a primary held under this Act of another political
 22 party within a period of two years next preceding such primary: *Provided,* participa-
 23 tion by a primary elector in a primary of a political party which, under the provisions
 24 of section 2 of this Act, is a political party within a city only and entitled hereunder
 25 to make nominations of candidates for city offices only, and for no other office or
 26 offices, shall not disqualify such primary elector from participating in other primaries
 27 of his party: *And, provided,* that no qualified voter shall be precluded from partici-
 28 pating in the primary of any purely city, village or town political party under the
 29 provisions of section 2 of this Act, by reason of such voter having voted within two
 30 years at the primary of another political party.

31 In cities having a Board of Election Commissioners, the following additional
32 regulations shall be applicable:

33 In such cities only voters, registered as herein provided, shall be entitled to
34 vote at such primary. The registration books prepared for and used at the election
35 then next preceding shall be used for the primary, and any person therein registered
36 shall be entitled to vote at the primary unless he shall have removed from the election
37 precinct or become otherwise disqualified. Any person, in any city having a popula-
38 tion of less than 200,000, whose name does not appear on the registry books who is,
39 or shall, at or before the primary, become a primary elector of the precinct in which
40 he desires to vote, shall be entitled to vote at such primary by filing with the board
41 of election commissioners, twenty days prior to a primary, an affidavit, or affirmation,
42 specifying the facts, showing that on the date of such primary he will be a legally
43 qualified primary elector in the precinct in which he desires to vote.

44 Such affidavit, or affirmation, for registration, shall state the name of the
45 applicant, the place and date of his nativity, the term of his residence at his then
46 present address, in the precinct, county, State and United States, the fact of
47 his naturalization, if the applicant is a naturalized citizen, specifying the court,
48 if known, or, if not known, the city in which the court was held where such citi-
49 zen was naturalized, and the residence when last registered; if the applicant was
50 previously registered. It shall be the duty of the board of election commissioners to
51 prepare proper forms of such affidavit, or affirmation.

52 Upon the filing of such affidavit, or affirmation, the board of election com-
53 missioners shall place the name of such primary elector in the original regis-
54 tration books for the proper precinct, specifying the precinct from which he
55 is transferred, if previously registered in another precinct, and shall also make
56 a minute opposite his name in the original registration book of the precinct from
57 which he has removed, showing the precinct to which his name is transferred,
58 or, as the case may be, shall add the name of such primary elector in the original
59 registration books for the proper precinct and the reason of the registration
60 thereof.

61 At least five days prior to the date of the primary, the board of election
 62 commissioners shall cause to be posted at each polling place in each precinct,
 63 in a book substantially in the form now used for "verification lists" under the
 64 general election laws of this State, the name and address of each primary elector
 65 who has been registered for the primary by having filed an affidavit, or affirmation, as
 66 above set forth.

67 In any such city having a population of 200,000 or more, and in any incorporated
 68 town, under the jurisdiction of such Board of Election Commissioners the said regis-
 69 tration books shall be revised three weeks preceding such primaries under the direction
 70 of said Board of Election Commissioners in the same manner as is now provided by
 71 law for intermediate registration in cities having Board of Election Commissioners,
 72 *provided* that when an intermediate registration and revision is now provided for by
 73 law to be held within thirty days prior to such primary election then such intermedi-
 74 ate registration and revision shall be the registration and revision for such primary
 75 election.

76 Any primary elector of a precinct may, on the eleventh and twelfth days immedi-
 77 ately preceding the primary, file with the Board of Election Commissioners an appli-
 78 cation, signed and sworn to by him, requesting the name of a person registered on
 79 the registration books as herein provided, shall be erased therefrom, for the reason
 80 that such person so registered is not, or will not on or before the day of the primary,
 81 be a legal primary elector of the precinct, which application shall be in substance, in
 82 the words and figures following:

83 "I, do hereby solemnly swear (or affirm) that
 84 I am informed and believe that.....
 85 is not a qualified voter in the.....precinct of the.....ward of
 86 the city (village or town) of.....and that said.....
 87 will not be a qualified voter of such precinct and ward on the.....day of
 88A. D....., and hence ask that his name be erased
 89 from the registers of such precinct.

90 Notice of such application, with a demand to appear and show cause why
 91 such name should not be erased, shall thereupon be given to such person by
 92 the board of election commissioners. Such notice shall be served upon such
 93 person personally, or left at the place of residence named in such registration books
 94 and a copy thereof shall be sent by mail, postage prepaid, at least two days before
 95 the day fixed to show cause, addressed to the person whose right to vote is chal-
 96 lenged, at the residence address given in such registration books. In case personal
 97 service cannot be had, the return of the board of election commissioners shall so
 98 state, and the reason therefor.

99 On Monday, Tuesday and Wednesday next preceding the primary, the
 100 board of election commissioners shall sit to hear such applications by wards
 101 and precincts in their numerical order. At the request of either party, sub-
 102 poenas shall be issued, and witnesses may be sworn and heard upon such hearing.
 103 Each person appearing in response to an application to erase a name shall subscribe
 104 and swear to an answer, in the presence of a member of the board of election com-
 105 missioners, substantially in the following form:

106 "I,, do solemnly swear that I am a citizen of
 107 the United States, that I have resided in the State of Illinois since the.....
 108 day of....., A. D....., and in the county of....., said State, since the
 109day of....., A. D....., and in the.....precinct of the.....
 110 ward, in the city of....., said county and State, since the.....day
 111 of....., A. D.....; and that I am.....years of age; and that I
 112 am the identical person registered in said precinct for the primary under the name I
 113 subscribe hereto."

114 Such answer shall be filed with the board of election commissioners.

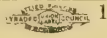
115 The decision on each application shall be announced at once after hearing, and
 116 where such application is allowed, such name shall be erased forthwith.

117 The county court of the county in which such city is situated shall, on
 118 Friday and Saturday of the week prior to the week in which such primary is
 119 to be held, specially sit to hear such applications as may be made to it by

120 persons whose names have been stricken from the registry list as above pro-
121 vided. Such application shall be sworn to and shall state that the board of
122 election commissioners has stricken such name from the registry list. Such
123 application shall be heard summarily and evidence may be introduced for or
124 against such application. Each case shall be decided at once on hearing and the
125 clerk of the court shall make a minute of the disposition of each application.
126 A copy of such minute shall at once be given to such board of election commis-
127 sioners, and, when such minute indicates that the name of the applicant shall
128 be restored to the register, the board of election commissioners shall forthwith cause
129 such name to be placed upon the appropriate register, and indicate that it was en-
130 tered by order of the court.

131 In case such county court shall refuse such application, an order shall be
132 entered accordingly on the Monday following the session of the court held for
133 the purpose aforesaid, and any person desiring to appeal from the said order may
134 appeal to the Supreme Court of the State, if application be made therefor within
135 five days after the entry of said court, and such appeal shall be allowed on the
136 giving of an appeal bond in the penalty of \$250, conditioned to pay the expenses
137 of such appeal. The time for filing such appeal bond and certificate of evidence
138 shall be fixed by the court and upon presentation to the court of a certificate con-
139 taining the evidence heard at such hearing, within the time fixed by the court, the
140 court shall sign the same, and thereupon the same shall become part of the
141 record in said cause.

142 The original registration books, revised as herein provided, shall constitute the
143 primary registration.



1 Introduced by Mr. Searcy, May 4, 1921

2 Read by title, ordered printed and referred to Committee on Elections.

A BILL

For an Act to amend Sections 2 and 4 of "An Act to provide a method of voting at any special, general or primary election by electors expecting in the course of their business or duties to be absent from the county in which they are electors," approved June 22, 1917, in force July 1, 1917, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* Sections 2 and 4 of "An Act to provide a method of voting at
3 any special, general or primary election by electors expecting in the course of their
4 business or duties to be absent from the county in which they are electors," approved
5 June 22, 1917, in force July 1, 1917, as amended, are amended to read as follows:

Sec. 2. Any elector as defined in the foregoing section expecting to be absent
2 from the county of his residence on the day of such election may, not more than thirty
3 days nor less than *three (3)* days prior to the date of such election, make application
4 to the county clerk or, where existing, to the board of election commissioners, or other
5 officer or officers charged with the duty of furnishing ballots for such election in his
6 voting precinct, for an official ballot for said precinct to be voted at such election.

Sec. 4. Immediately upon the receipt of such application either by mail or by personal delivery by the applicant, not more than thirty (30) nor less than *three (3)* days prior to such election, at the office of such county clerk or board of election commissioners or the officer or officers charged with the duty of furnishing ballots as aforesaid, it shall be the duty of such board of election commissioners if any, to examine the records to ascertain whether or not such applicant is lawfully entitled to vote as requested, and if found so to be, to post immediately thereafter the name, street address, ward and precinct number by such applicant given on a list to be kept by such officer or officers for such purpose in a conspicuous place accessible to the public at the entrance of the office of such officer or officers, and immediately thereafter to mail, postage prepaid, or deliver in person an official ballot or ballots if more than one are to be voted at said election.

- 1 Introduced by Mr. Searcy, May 4, 1921.
- 2 Read by title, ordered printed and referred to Committee on Elections.

A BILL

For an Act to amend Sections 5 and 17 of Article III, Section 6 of Article IV and Section 1 of Article VI of "An Act regulating the holding of elections and declaring the result thereof in cities, villages and incorporated towns in this State," approved June 19, 1885, in force July 1, 1885, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* Sections 5 and 17 of Article III, Section 6 of Article IV, and
3 Section 1 of Article VI of "An Act regulating the holding of elections and declaring
4 the result thereof in cities, villages and incorporated towns in this State," approved
5 June 19, 1885, in force July 1, 1885, as amended, are amended to read as follows:

ARTICLE III

Sec. 5. Said board of registry shall, by noon of the day following such registry,
2 *return the registers* to the board of election commissioners.

3 Any voter of the ward, village or town shall be permitted to be present at the place
4 of registration in said ward and shall have the right to challenge any applicant who
5 applies to be registered. And when challenged such applicant must make oath and sign
6 an affidavit in writing as follows:

7 "I do solemnly swear that I am a citizen of the United States, am.....years
 8 of age, and that I have resided in the State of Illinois for the period of.....,
 9 in the county of.....for the period of....., in the.....
 10 precinct of the.....ward in the city of....., said
 11 county and State, for the period of....., and at No.....street, in said
 12 precinct, for the period of....., and that I last registered in said city for
 13 the.....election offrom No.....street,
 14 and that I have never been convicted of any crime (or if convicted, state the time and
 15 when pardoned by the Governor of any state)."

16 This affidavit shall be signed and sworn to before one of such board of registry,
 17 and it shall be preserved and returned to the office of said election commissioners
 18 immediately. If said board of registry shall deem such affidavit sufficient, and if the
 19 board is convinced that such person is a qualified voter, then he must be admitted to such
 20 register as qualified. Blank affidavits of the character aforesaid shall be sent out to the
 21 judges of all the precincts, and the judges of election shall furnish the same on demand
 22 and administer the oath without criticism. If any judge of election, poll clerk or
 23 other person, when such applicant has been challenged, shall designate such person upon
 24 any of the registers as a qualified voter before he has made and filed with the board of
 25 registry the affidavit of the character aforesaid, such judge of election, poll clerk or
 26 other person shall, upon conviction thereof, be adjudged guilty of a misdemeanor and
 27 shall be punished by imprisonment in the county jail for not less than ten (10) days
 28 nor more than sixty (60) days, or by a fine of not less than one hundred dollars nor
 29 more than one thousand dollars, or by both such fine and imprisonment.

30 And any person claiming to be an elector of any election precinct in such city and
 31 who, upon application, is denied to *the* right to be registered as a qualified voter in such
 32 precinct, may make and sign an application in writing, under oath, to said board of
 33 election commissioners in substance in the following form:

34 "I do solemnly swear that I,....., did on.....make
 35 application to the board of registry of the..... precinct of.....
 36 ward, of the city of....., and that said board refused to register me as

37 a qualified voter in said precinct, that I reside in said precinct, am a duly qualified voter
 38 and entitled to vote in said precinct at the next election."

39 All such applications shall be presented to the board of election commissioners by
 40 the applicant, in person, between the hours of nine o'clock a. m. and five o'clock p. m.
 41 on Tuesday or Wednesday of the second week prior to the week in which such election
 42 is to be held.

43 Immediately following the first day of registration and up to and until noon of the
 44 day before the second day of registration, any voter who shall make affidavit before
 45 the board of election commissioners or its clerk authorized to administer oaths, that he
 46 was unable to go to his polling place on the first day of registration and that he
 47 expects to be by reason of absence from the city or sickness, unable to go to the polls on
 48 the second day of registration, may file with such board an application for registration.
 49 Such affidavit shall be in the following form:

50 "I,, do solemnly swear that I am a legal
 51 voter in the.....precinct of the.....ward in the city of.....
 52 Illinois, and that by reason of.....I was unable to be present at
 53 the polling place in said precinct on the last day of registration, and will, by reason of
 54be unable to be present on the next day of registration.

55 Signed.....

56 After making such affidavit, said board of election commissioners, or its clerk,
 57 shall administer to him the oath required of applicants for registration in Section 3
 58 hereof and shall require him to answer the same questions required in Section 3 and
 59 shall receive his answers on a blank provided by said board for that purpose. Said
 60 question, with the answers thereto, shall be upon the same blank and immediately follow-
 61 ing the oath as above provided for and shall be signed and certified to be correct by
 62 the applicant.

63 All such affidavits required in this section, together with the questions and answers
 64 certified to as above required in the office of the election board, shall be enclosed and
 65 sealed in envelopes by precincts and be delivered by them to the judges of the respective
 66 precincts, together with the registers on the day before the second day of registration

67 and said judges during their session on said day of registration, shall enter such names
 68 and answers in the registers in the same manner, as though such persons were register-
 69 ing in person. Said affidavits, with the questions and answers, shall be returned to the
 70 office of the election board with the other returns.

71 In the event that a voter shall, by reason of illness or absence from the city, be
 72 unable to appear in person at the office of the board of election commissioners during
 73 the interval between the first and second days of registration, he may, upon applica-
 74 tion made by him or by another for him, to the board of election commissioners, be
 75 furnished a blank such as is provided for herein which may be executed by him before
 76 a notary public, and under his seal and returned to the board of election commissioners
 77 who shall cause such voter to be registered in the same manner as though he had ap-
 78 peared before said board in person: *Provided*, such application for registration is
 79 received by said board after the first day of registration and not later than noon of the
 80 day before the second day of registration.

Sec. 17. At every election held in each city, village or incorporated town between
 2 the general registration above referred to, the registers of the last general registration
 3 with additions of names registered in the office of the board of election commissioners
 4 as hereinafter provided, shall be used.

5 From and after the November election in each even numbered year and until and
 6 including the thirtieth day of September in the next following even numbered year,
 7 the office of the board of election commissioners shall be open during business hours of
 8 each day, except Sundays and legal holidays, and excepting the twenty-eight (28) days
 9 immediately preceding any regular election, for the purpose of registering applicants
 10 for registration. Such applicants shall be put under oath by said board or its duly
 11 authorized clerk and shall answer the same questions as are required to be answered at
 12 general registrations in Section 3 of this Article III, and such names and answers
 13 shall be entered by such board in the general registers under the proper headings in
 14 such registers. All such voters so registered and otherwise qualified shall be entitled to
 15 vote at all elections and primaries as if registered at the general registration as pro-
 16 vided in this act.

17 At least twenty days before the last day of registration in the
18 office of the board of election commissioners as provided in Section 17
19 of Article III hereof, such board shall cause to be publish in such
20 city, a notice of the day and date when such registration shall cease.

21 If a voter remove from one place to another in the same precinct,
22 such party must appear at the office of the board of election commis-
23 sioners during the time specified above, and make oath as to such re-
24 moval, and the registers shall be corrected accordingly; and if not cor-
25 rected, such person cannot vote: *Provided*, that any voter, making such
26 removal within thirty days prior to any election or primary may make
27 oath before the judges of such precinct, at the polling place on the day
28 of election or primary, that he is the identical person whose name appears
29 upon the register, as having been registered at some other place in such
30 precinct (naming the place), and giving the date of his removal which
31 must not be more than thirty (30) days preceding such election, and
32 such statements shall be verified by two householders, residing in such pre-
33 cinct, that he is the identical person so registered at such other place in the precinct,
34 whereupon such judges of election, if they believe him to be the same person registered
35 at such other place and that he made the removal at the time specified in such sworn
36 statement, shall receive his vote.

37 The fact that a voter is registered in one precinct from which he has removed,
38 shall not prevent him from being registered in another precinct into which he has re-
39 moved: *Provided*, he is otherwise entitled to be registered therein: *And, provided*,
40 *further*, that it shall be the duty of the board of election commissioners to remove his
41 name from the registry book of the former precinct immediately after registration from
42 his new place of residence; and it is made the duty of the board of election commis-
43 sioners to question every voter offering himself to be registered as to whether he was
44 or is registered in any other precinct, and to make a note of the fact of such registra-
45 tion and his address, at the time he is so registered in a column to be provided in two
46 registry books for that purpose.

ARTICLE IV

Sec. 6. The vote of no one shall be received by said judges whose name does
 2 not appear upon said registers as a qualified voter. *But in case a woman's name has*
 3 *been changed by marriage or divorce after she has registered, she may vote upon mak-*
 4 *ing the following affidavit before the judges: "I do solemnly swear that I am the same*
 5 *person now registered in the.....precinct of the.....ward under the*
 6 *name.....; that since registering I have been.....(married*
 7 *or divorced); that my name now is.....; and that I still reside in the*
 8 *said precinct.*

9 (Signed)

ARTICLE VI

Sec. 1. If at any general registration of voters or any meeting of the judges of
 2 election, held for such purpose, or for revision thereof, as provided in this act, any per-
 3 son shall falsely personate an elector or other person, and register, or attempt or offer
 4 to register, in the name of such elector or other person;

5 Or of any person shall knowingly or fraudulently register or offer, or attempt, or
 6 make application to register, in, or under the name of, any other person, or in, or
 7 under any false, assumed or fictitious name, or in, or under any name not his own;

8 Or shall knowingly or fraudulently register in two election precincts;

9 Or, have registered in one precinct, shall fraudulently attempt or offer to register
 10 in another;

11 Or shall fraudulently register or attempt, or offer, to register in any election pre-
 12 cinct, not having a lawful right to register therein;

13 Or shall knowingly or wilfully do any unlawful act to secure registration for him-
 14 self or any other person;

15 Or shall knowingly, wilfully or fraudulently, by false personation or otherwise,
 16 or by any unlawful means cause or procure, or attempt to cause or procure, the
 17 name of any qualified voter, in any election precinct, to be erased or stricken from
 18 any registry of the voters of such precinct made in pursuance of this act or otherwise,
 19 as in this act provided;

20 Or by force, threat, menace, intimidation, bribery, reward or offer, or promise
21 thereof, or other unlawful means, prevent, hinder or delay any person, having a lawful
22 right to register or be registered, from duly exercising such right;

23 Or shall knowingly, wilfully or fraudulently compel or induce, or attempt, or offer
24 to compel or induce, by such means, or any unlawful means, any judge of election or
25 other officer of registration in any election precinct to register or admit to registra-
26 tion any person not lawfully entitled to registration in such precinct;

27 Or to register any false, assumed or fictitious name, or any name of any person
28 except as provided in this act;

29 Or shall knowingly, or wilfully or fraudulently interfere with, hinder or delay any
30 judge of election, or other officer of registration, in the discharge of his duties, or
31 counsel, advise or induce, or attempt to induce, any such judge or other officer to refuse
32 or neglect to comply with or to perform his duties; or to violate any law prescribed for
33 regulating the same;

34 Or shall aid, counsel, procure or advise any voter, person, judge of election, or
35 other officer of registration, to do any act by law forbidden, or in this act constituted
36 an offense, or to omit to do any act by law directed to be done;

37 Every such person, upon conviction thereof, shall be punished by imprisonment in
38 the *penitentiary* for not less than one year.



1 Introduced by Mr. Wilson, May 4, 1921.

2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act in relation to Contracts, Combinations and Conspiracies in Restraint of Trade and Commerce, and providing penalties for the violation thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* That every contract, combination, in the form of a trust or other-
3 wise, or conspiracy in restraint of trade or commerce within the State of Illinois, is
4 hereby declared to be illegal. Every person, corporation or association who shall
5 make any such a contract, or engage in any such combination or conspiracy, shall
6 be deemed guilty of a misdemeanor, and, on conviction thereof shall be punished as
7 hereafter provided in this Act.

Sec. 2. Every person, corporation or association who shall monopolize, or at-
2 tempt to monopolize, or combine or conspire with any other person or persons, or cor-
3 poration, to monopolize any part of the trade or commerce within the State of Illinois,
4 shall be deemed guilty of a misdemeanor, and, on conviction thereof shall be punished
5 as hereafter in this Act provided.

Sec. 3. It shall be unlawful for any person, corporation or association engaged
 2 in commerce within the State of Illinois, in the course of such commerce, either di-
 3 rectly or indirectly, to discriminate in price between different purchasers of commodi-
 4 ties, which commodities are sold for use, consumption, or re-sale within the State of
 5 Illinois, where the effect of such discrimination may be to substantially lessen or tend
 6 to create a monopoly in any line of commerce: *Provided*, that nothing herein con-
 7 tained shall prevent discrimination in price between purchasers of commodities on
 8 account of differences in the grade, quality, or quantity of the commodity sold, or
 9 that makes only due allowance for difference in the cost of selling or transportation,
 10 or discrimination in price in the same or different communities made in good faith
 11 to meet competition: And, *provided, further*, that nothing herein contained shall pre-
 12 vent persons engaged in selling goods, wares, or merchandise in commerce within this
 13 State from selecting their own customers in *bona fide* transactions and not in restraint
 14 of trade.

Sec. 4. It shall be unlawful for any person engaged in commerce within the
 2 State of Illinois, in the course of such commerce, to lease or make a sale or contract
 3 for sale of goods, wares, merchandise, machinery, supplies or commodities, whether
 4 patented or unpatented, for use, consumption, or re-sale within the State of Illinois,
 5 or to fix a price charged therefor, or discount from, or rebate upon, such price on the
 6 condition that the lessee or purchaser thereof shall not use or deal in the goods, wares,
 7 merchandise, machinery, supplies or other commodities of the competitor or competi-
 8 tors, of the lessee or seller, where the effect of such lease, sale or contract for sale or
 9 such condition, agreement or understanding may be to substantially lessen competition
 10 or tend to create a monopoly in any line of commerce.

Sec. 5. It shall be unlawful for any person, corporation or association to publish,
 2 circulate, distribute or exchange with, or in any manner communicate or transmit to,
 3 any person, corporation or association, any price list or any statement, report or com-
 4 pilation showing or purporting to show the cost of production, the average cost of
 5 production, the units of such cost or the average of such units or the average sales

6 price of, or in relation to, any goods, wares, merchandise, machinery, supplies or other
 7 commodities, whether patented or unpatented, sold or to be sold, leased or exchanged,
 8 or made the subject of contract for lease or sale within the State of Illinois, or to
 9 make use of any other device for the purpose of communicating to any other person,
 10 corporation or association information as to the cost of production, quantity of pro-
 11 duction, selling price or leasing price of any such articles, with the intent to fix or
 12 regulate the price of any such goods, wares, merchandise, machinery, supplies or other
 13 commodities, in restraint of trade or free competition in the sale or lease thereof. It
 14 shall also be unlawful for any person, corporation or association to enter into any
 15 contract, agreement, combination or understanding to do, or cause to be done, any of
 16 the things declared by this Section to be unlawful. Any person, corporation or asso-
 17 ciation which shall commit or assist in committing any act or thing by this Section
 18 declared to be unlawful shall be deemed guilty of a misdemeanor, and, on conviction
 19 thereof, shall be punished as hereafter in this Act provided.

Sec. 6. Every contract, combination or understanding, or agreement, express or
 2 implied, between two or more persons, firms, corporations or associations of persons,
 3 or between one or more of either with one or more of the others, intended to hinder
 4 competition in the production, importation, manufacture, transportation, sale, pur-
 5 chase or lease of goods, wares, merchandise, machinery, supplies or commodities,
 6 whether patented or unpatented, or to boycott the same, or otherwise restrict trade
 7 therein or to regulate the price thereof, by the distribution or filing of cost data or by
 8 reporting or distributing information as to prices or sales, by compiling or distribut-
 9 ing information as to average cost or prices, by the maintenance of the so-called open
 10 price plan or by any other device whatsoever, is hereby declared to be unlawful, and
 11 violations of any provisions of this Section shall be punished as hereafter provided.

Sec. 7. Any person, corporation or association who shall violate any of the pro-
 2 visions of Sections 1, 2, 3, 4, 5 or 6 of this Act, or who shall commit or assist in
 3 committing any act or thing by said Sections, or either of them, declared to be un-
 4 lawful, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be

5 punished by a fine not exceeding Five Thousand Dollars (\$5,000.00) or by imprison-
6 ment in the County Jail not exceeding one (1) year, or by both such fine and im-
7 prisonment.

Sec. 8. The Circuit Courts of this State and the Superior Court of Cook County
2 are hereby invested with jurisdiction to prevent and restrain violations of this Act, and
3 it shall be the duty of the Attorney General and of the several State's Attorneys in
4 their respective counties, under the direction of the Attorney General, to institute pro-
5 ceedings in equity to prevent and restrain such violations. Such proceedings may be
6 by way of petition setting forth the case and praying that such violation shall be en-
7 joined or otherwise prohibited. When the parties complained of shall be duly noti-
8 fied of such petition, the court shall proceed as soon as may be, to the hearing and
9 determination of the case; and pending such petition, and before the final decree,
10 the court may, at any time, make such temporary restraining order or prohibition
11 as shall be deemed just in the premises. Whenever it shall appear to the court before
12 which any such proceeding shall be pending, that the ends of justice require that
13 other parties should be brought before the court, the court may cause them to be sum-
14 moned, whether they reside in the county in which the court is held or not, and sum-
15 mons to that end may be served in any county by the Sheriff thereof, as in cases of
16 chancery.

17 In any such proceeding, the court, upon proper proof being made of a violation
18 of any of the provisions of this Act by any corporation created or organized by or
19 under the laws of this State, may declare forfeited the corporate rights and fran-
20 chise of such corporation, and such rights and franchises shall thereafter be null and
21 void, and such corporation shall thereafter cease and terminate. And such court may
22 also, by judgment and decree, declare all or any part of the property of such cor-
23 poration forfeited unto the State, and the court shall have full power to close up
24 the business of such corporation and to appoint a receiver therefor whose powers,
25 duties and qualifications shall be the same as those provided by Section 54 of "An
26 Act in relation to Corporations for Pecuniary Profit", approved June 28, 1919, in
27 force July 1, 1919. In any such proceeding, any corporation created or organized

28 under the laws of any other state or country, which shall be a party to such pro-
 29 ceeding, shall, upon proper proof being made that such corporation has violated any
 30 of the provisions of this Act, be declared by the court to have forfeited its right and
 31 privilege thereafter to do any business in this State, and such right and privilege
 32 shall thereafter be null and void and of no effect, and the court may, by judgment
 33 and decree, declare all or any part of the property in this State of such corporation
 34 forfeited unto the State, and shall appoint a receiver therefor who shall have the
 35 qualifications, powers and duties provided by Section 54 of the Act above mentioned
 36 in this Section. Any proceeding or motion under the provisions of this Section shall
 37 be expedited and shall have priority in hearing and determination over all other civil
 38 proceedings pending in such court, except election contests.

Sec. 9. Any person, firm, corporation or association shall be entitled to sue for,
 2 and have injunctive relief in any court of this State having jurisdiction in cases of
 3 equity against threatened loss or damage by violation of any of the provisions of
 4 this Act, when and under the same conditions and principles as injunctive relief
 5 against threatened conduct that will cause loss or damage is granted by courts of
 6 equity, under the chancery procedure and practice of this State, and upon the execu-
 7 tion of proper bond against damages for an injunction improvidently granted and a
 8 showing that the danger of irreparable loss or damage is immediate, a preliminary
 9 injunction may issue.

Sec. 10. No person shall be excused from attending and testifying, or from pro-
 2 ducing any written or printed evidence or any documentary evidence in any criminal
 3 or quasi-criminal proceeding under this Act or in any civil proceedings by or under
 4 the direction of the Attorney General pursuant to the provisions of this Act, in
 5 obedience to a subpoena, on the ground or for the reason that the testimony or evi-
 6 dence, documentary or otherwise, required of him may tend to incriminate him or
 7 subject him to a penalty or forfeiture. But no natural person shall be prosecuted
 8 or subjected to any penalty or forfeiture for, or on account of, any transaction,
 9 matter or thing concerning which he may testify or produce evidence, documentary

10 or otherwise, in obedience to such subpoena: *Provided*, that no natural person so
11 testifying shall be exempt from prosecution and punishment for perjury committed in
12 so testifying.

Sec. 11. The provisions of this Act shall not be construed to repeal any exist-
2 ing law unless in direct conflict therewith, but the remedies herein provided shall be
3 in addition to those now existing.

Sec. 12. If any section, subdivision, sentence or clause of this Act is for any
2 reason held invalid or to be unconstitutional, such decision shall not affect the valid-
3 ity of the remaining portion of this Act.

Sec. 13. Neither this Act nor any provision thereof shall apply, or be construed
2 to apply, to commerce with foreign nations or commerce among the several States
3 of this Union, except when specifically so stated, and in so far as the same may
4 be permitted under the provisions of the Constitution of the United States and Acts
5 of Congress and the decisions of the Supreme Court of the United States.

Sec. 14. All prosecutions by indictment or otherwise for violations of any of
2 the provisions of this Act, and all actions, suits or proceedings instituted under any
3 provision of this Act shall be commenced within three (3) years from the time of
4 committing the offense or from the time the cause of action accrued.

1 Introduced by Mr. McCarthy, May 4, 1921.

2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Section 55 of "An Act to revise the law in relation to idiots, lunatics, drunkards and spendthrifts," approved March 26, 1874, in force July 1, 1874, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in*

2 *the General Assembly:* Section 55 of "An Act to revise the law in relation to idiots,
3 lunatics, drunkards and spendthrifts," approved March 26, 1874, in force July 1, 1874,
4 as amended, is amended to read as follows:

Sec. 55. It shall be lawful for any person having a claim or demand against any
2 person under conservatorship to file the same in the office of the clerk of the court
3 appointing such conservator; which claim shall be itemized and give the date of each
4 item, and be verified by the oath of the claimant, and unless the conservator of the
5 estate of said ward waives the issue of process, the clerk of the court shall issue a
6 summons, directed to the sheriff of the county where such conservator resides, requir-
7 ing such conservator to appear and defend such claim at any day of any term of court,
8 fixed by the court, not less than ten days nor more than thirty days from the service

9 of such summons, whereupon, or at such time thereafter as the court may fix, the
10 court may proceed to hear the same as in cases of claims against the estate of de-
11 ceased persons, and to dismiss the claim or allow the same in whole or in part. *Sub-*
12 *ject to the payment of costs and expenses of administration, the court may order the*
13 *payment, by the conservator, of any claim allowed out of any funds in the conserva-*
14 *tor's hands available for such purpose, at such time or times as may be fixed in such*
15 *order, or in the due course of administration, or the court may make such other or-*
16 *der with reference to such claim or the payment thereof, as may be just and equit-*
17 *able. The court may, on its own motion, or on the application of any party or parties*
18 *in interest, enter an order providing that the conservator shall apply funds in his*
19 *hands available for such purpose ratably and proportionately to the payment of claims*
20 *theretofore allowed and remaining unpaid, regardless of the term of court at which*
21 *orders of allowance were entered: Provided, nothing herein shall be construed to*
22 *abrogate any of the legal defenses of the ward according to the law. Either party*
23 *may demand a jury of six or twelve jurors to try the issue, and it shall be the duty*
24 *of the court when a jury is demanded to issue a venire to the sheriff of the county,*
25 *to summon a jury to be composed of the number demanded. When a claim is filed*
26 *in the court appointing such conservator against the estate of a ward and it appears*
27 *on the trial thereof that such claimant is indebted to such ward, the said court may*
28 *give judgment against the claimant, therefor, and execution may issue thereon in favor*
29 *of the conservator or said ward. Judgments rendered by any court of this State*
30 *against a person under conservatorship shall be payable only in the due course of the*
31 *administration of the ward's estate upon order of the court appointing the conservator.*
32 *All claims against persons under conservatorship whether due by judgment, writing*
33 *obligatory or otherwise shall, except as otherwise provided, be paid by the conservator*
34 *in the manner provided in this act.*



- 1 Introduced by Mr. J. W. Ryan, May 5, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Section 4 of "An Act to revise the law in relation to marriages," approved February 27, 1874, in force July 1, 1874, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in*
2 *the General Assembly:* Section 4 of "An Act to revise the law in relation to mar-
3 riages," approved February 27, 1874, in force July 1, 1874, as amended, is amended
4 to read as follows:

Sec. 4. Marriages may be celebrated either by a minister of the gospel in regular
2 standing in the church or society to which he belongs, by a judge of any court of
3 record, or by a justice of the peace *within the town, precinct, or district for which he*
4 *is appointed or elected*, by any superintendent of any public institution for the educa-
5 tion of the deaf and dumb in this State, or if the parties, or either of them, are mem-
6 bers of the religious society known as Friends or Quakers, they may lawfully be mar-
7 ried by making known their intention to marry to a standing committee of any official
8 meeting at least one week before such marriage is consummated, and by appearing in

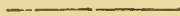
9 a public meeting or private gathering before official witnesses of said body, with a
10 certificate duly setting forth the names and residences of each contracting party, and
11 of the parents of each, if living, which said certificate shall be signed by the contract-
12 ing parties and the official witnesses and shall be publicly read by one of the witness-
13 ing parties, and afterward duly recorded upon the records of an organized meeting of
14 said society. *Provided, however,* that all marriages commonly known as "common law
15 marriages," hereafter entered into shall be and the same are hereby declared null and
16 void unless after the contracting and entering into of any such common law marriage
17 a license to marry be first obtained by such parties who have entered into a common
18 law marriage and a marriage be solemnized as provided by this Act in the same man-
19 ner as is provided for persons who have obtained a license to be joined in marriage
20 and are about to be joined in any such marriage: And any children born to parties
21 who have entered into such common law marriage shall be and are deemed legitimate
22 upon the parents having obtained a license to marry and *being* married in the man-
23 ner provided in this Act: *Provided, further, that in any county which has more than*
24 *one million inhabitants, marriages may be celebrated by the county clerk or by a duly*
25 *appointed deputy county clerk of such county; the county clerk of such county shall*
26 *keep a record of all marriage ceremonies performed by him and his deputies, in a book*
27 *specially provided for such purpose.*



- 1 Introduced by Mr. J. W. Ryan, May 5, 1921.
2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Section 3 of "An Act to provide for the fees of certain officers therein named in counties of the third class, to-wit: sheriff, recorder and county clerk," approved May 16, 1905, in force July 1, 1905, as amended.



SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* Section 3 of "An Act to provide for the fees of certain officers
3 therein named in counties of the third class, to-wit: sheriff, recorder and county clerk,"
4 approved May 16, 1905, in force July 1, 1905, as amended.

Sec. 3. For each license and taking bond for ferry, toll bridge, turnpike road,
2 tavern, saloon, grocery or peddler, two dollars.

3 For issuing each marriage license, sealing, filing and recording the same, and the
4 certificate thereto (one charge) one dollar, and fifty cents.

5 *For each marriage ceremony performed (in counties of more than 1,000,000*
6 *population) and record thereof made, five dollars.*

7 For each copy of rates for ferry, toll-bridge or turn pike road, twenty-five cents.

8 For taking and certifying to the acknowledgment of a deed, power of attorney, or
9 other writing and sealing the same, twenty-five cents.

10 For filing certificates in case of estrays, entering the same and furnishing notices
11 for publication thereof (one charge), seventy-five cents.

12 For recording all papers and documents required by law to be recorded in the
13 office of the county clerk, for every hundred words, ten cents.

14 For swearing any person to an affidavit, not to be used in a case in the court
15 of which he is a clerk, with certificate and seal, twenty-five cents.

16 For certificate and seal, not in a case in a court whereof he is clerk, twenty-five
17 cents.

18 For making and certifying a copy of any record or paper in his office, for every
19 one hundred words, ten cents.

20 For filing papers in his office, for each paper filed, ten cents.

21 For making transcript of taxable property for the assessors, three cents; for
22 each tract of land or town lot, and for extending other than State and county taxes,
23 three cents for each tax on each tract or lot, and each person's personal tax, to be
24 paid by the authority for whose benefit the transcript is made, and the taxes extended.
25 And it shall be the duty of the county clerk to certify to the county collector the amount
26 due from each authority, and the collector, in his settlement with such authority, shall
27 reserve such amount from the amount due and payable by him to such authority.

28 For adding and bringing forward with current tax warrants, amounts due for for-
29 feited or withdrawn special assessments, for each lot or tract of land described and trans-
30 scribed, three cents; for computing and extending each assessment or installment
31 thereof, and interest, three cents on each description and for computing and extending
32 each penalty, three cents, on each description. Said fees to be paid by the city, village,
33 or taxing body for whose benefit the transcript is made, and the assessment and
34 penalties are extended, and it shall be the duty of the county clerk to certify to the
35 county collector the amount due from each city, village or taxing body and the collector
36 in his settlement with such taxing body shall reserve such amount from the amount due
37 and payable by him to such city, village or other taxing body.

For cancelling certificates of sale, for each tract or lot, twenty-five cents.

For certificates of deposit for redemption, seventy-five cents; and for furnishing estimate of cost of redemption (when deposit for redemption is not made at the time of furnishing estimate) twenty-five cents.

For noting on collectors' warrants tax sales subject to redemption, for each tract or lot of land, ten cents. Said fee of ten cents, to be paid by either the person making redemption from tax sale, the person surrendering the certificate of sale for cancellation or the person taking out tax deed.

For noting on collectors' warrant special assessment withdrawn from collection, for each tract or lot of land, ten cents. Said fee of ten cents to be charged against the lot assessed in the withdrawn special assessment, when brought forward with current tax warrant, and it shall be the duty of the county clerk to certify to the county collector the amount due from each city, village or taxing body for such fees, each year, and the county collector in his settlement with such taxing body shall reserve such amount from the amount due and payable by him to such taxing body.

For taking and approving official bond of a constable, justice of peace, police magistrate or town assessor, filing and recording same, and issuing certificate of election or qualification to such official or to the Secretary of State, one dollar, to be paid by the officer-elect.

For certified copies of plats, ten cents for each lot shown in copy.

For tax search and issuing statement regarding same on new plats to be recorded, fifty cents.

The following fees shall be allowed for services in matters of taxes and assessments, and shall be charged as costs against the delinquent property, and collected with the taxes thereon:

For entering judgment, for each tract or lot, three cents.

For services in attending the tax sales, and issuing certificates of sales, and sealing the same, for each tract or lot, twenty-five cents.

For making list of delinquent lands and town lots sold, to be filed with the State Auditor, for each tract or lot sold, five cents.

68 The following fees shall be audited and allowed by the board of county commis-
69 sioners and paid from the county treasurer.

70 For computing and extending State or county taxes on each description of real
71 estate and each person's, firm's or corporation's personal property tax, for each exten-
72 sion of each tax, three cents, which shall include the transcribing of the collectors'
73 books.

74 For making duplicate or triplicate sets of books containing transcripts of taxable
75 property for board of assessors and board of review, three cents, for each description
76 written in each book.

77 For filing, indexing and recording or binding each birth, death, or still-birth cer-
78 tificate or report, ten cents, which fee shall be in full for all services in connection
79 therewith, including the keeping of accounts, with district registrars.

80 For posting new subdivisions or plats, in official atlases, ten cents for each lot.

81 For compiling new sheets for atlases, fifteen cents for each lot.

82 For compiling new atlases (including necessary record searches), twenty cents for
83 each lot.

84 For investigating and reporting on each new plat, referred to county clerk by the
85 county board, one dollar.

86 For title search necessary in investigating claims for exemption from taxes,
87 twenty-five cents.

88 For attending sessions of the board of county commissioners or committees thereof,
89 five dollars per day, for each clerk in attendance.

90 For recording proceedings of the board of county commissioners, fifteen cents per
91 one hundred words.

92 For filing papers which must be kept in office of comptroller, of Cook County, for
93 each paper filed, ten cents.

94 For filing and indexing contracts, bonds, communications, etc. which must be kept
95 in office of comptroller, Cook County, fifteen cents for each document.

96 For swearing any person to necessary affidavits relating to the correctness of claims
97 against the county, twenty-five cents.

98 For issuing warrants in payment of salaries, supplies and other accounts, and all
99 necessary auditing and bookkeeping work in connection therewith, ten cents each.

100 No fees shall be allowed to the county clerk for duties in conducting elections, mak-
101 ing election returns, and abstracts of votes, or for other county business, not otherwise
102 provided for in this Act. But the board of county commissioners shall allow for such
103 services an *ex-officio* fee, in the sum of nine thousand dollars per annum, when needed.
104 But in no event should the compensation allowed to the county clerk for his services
105 exceed the amount otherwise provided by law.



1 Introduced by Committee on Education, May 5, 1921.

2 Read at large a first time, ordered printed and to a second reading.

A BILL

For an Act to amend Section 1 of "An Act entitled 'An Act to legalize the organization of certain high school districts,'" approved and in force June 14, 1917.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in*
2 *the General Assembly:* Section 1 of "An Act entitled 'An Act to legalize the organi-
3 zation of certain high school districts,'" approved and in force June 14, 1917, is
4 amended to read as follows:

Sec. 1. In all cases where a majority of the inhabitants of any contiguous and
2 compact territory voting on the proposition, having voted at any election called for
3 the purpose by a county superintendent of schools in favor of the organization of
4 such territory into a high school district, and when at a subsequent election similarly
5 called and held a board of education has been chosen for such district, each such
6 election is hereby made legal and valid and such territory is hereby declared legally
7 and validly organized and established as a high school district, and a valid and exist-
8 ing school district and body politic and corporate of this State for the purpose of
9 establishing and maintaining a high school. The board of education acting for each
10 such district is hereby declared to be the duly constituted corporate authority thereof,
11 and each such board shall hereafter consist of a president and six members, and shall
12 be elected and organized in the same manner and have the same powers and discharge

13 the duties of boards of education of school districts as provided by sections 123, 125,
14 126, 126a and 127 of an Act of the General Assembly of the State of Illinois, en-
15 titled, "An Act to establish and maintain a system of free schools," approved June
16 12, 1909, and as said sections now exist or may from time to time be amended; *but*
17 *the annual election of the members of the boards of education shall be on the second*
18 *Saturday of April.*



- 1 Introduced by Committee on Education, May 5, 1921.
- 2 Read at large a first time, ordered printed and to a second reading.

A BILL

For an Act to amend Sections 274 and 275 of "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Sections 274 and 275 of "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909, as amended, are amended to read as follows:

Sec. 274. *Every person having control of any child between the ages of seven and sixteen years shall annually cause such child to attend some public school (or some private school in which the instruction in such of the elementary branches of education as are taught in the public schools is in the English language), for the entire time during which the school attended is in session, which shall not be less than seven months of actual teaching: Provided, however, that this Act shall not apply in case the child has been or is being instructed for a like period in each and every year in the elementary branches of education by a person or persons competent to give such instruction, which instruction of the child in the elementary branches of education shall be in the English language; or in case the child's physical or mental condition as certified to by a practicing physician renders his or her attendance impracticable or inexpedient, or in case the child is ex-*

12 cused for temporary absence due to illness, by the principal or teacher of the school
 13 which the child attends, or in case the child is between the ages of fourteen and sixteen
 14 years, and in the judgment of the board of directors or board of education is, during the
 15 hours in which the public school is in session, necessarily and lawfully employed in
 16 accordance with the provisions of the child labor laws now or hereafter in force: And,
 17 provided further, in all districts where part time continuation schools are established,
 18 all children in employment between fourteen and sixteen years of age, shall attend such
 19 continuation schools for at least eight hours each week during the period such schools
 20 are in session: Provided, further, that any child from twelve to fourteen years of age
 21 shall not be required to attend the public schools while in attendance at confirmation
 22 classes conducted not less than five months in either of said years. For every neglect
 23 of duty prescribed by this section, the person so offending shall forfeit to the use of the
 24 public schools of the city, town or district in which such child resides, a sum not less
 25 than five dollars (\$5.00) nor more than twenty dollars (\$20.00) and costs of suit and
 26 shall stand committed until such fine and costs of suit are fully paid. Any person
 27 having control of a child who with intent to evade the provisions of this section, shall
 28 make a false statement concerning the age or the employment of such child or the time
 29 such child has attended school shall, for such offense, forfeit a sum of not less than three
 30 dollars (\$3.00) nor more than twenty dollars (\$20.00) for the use of the public
 31 schools of the district.

Sec. 275 (a) The county superintendent of schools of each county shall appoint
 2 a legally qualified teacher to serve as attendance officer for his county whose duty it
 3 shall be to see that the provisions of Section 274 of this Act shall be fully complied
 4 with. In addition to this work he shall perform such other duties as the county super-
 5 intendent of his county may direct.

6 Such attendance officer shall receive as compensation an amount equal to one-half
 7 ($\frac{1}{2}$) of the salary of the county superintendent of his county to be paid quarterly out
 8 of the State School fund, together with the necessary traveling expenses to be paid out
 9 of the county treasury of his county: Provided, that in no case shall the salary of the
 10 attendance officer exceed twenty-five hundred dollars (\$2500.00).

11 *Any school district may appoint one or more attendance officers and fix compen-*
12 *sation of same, said compensation to be paid by the district.*

13 *It is hereby made the duty of every teacher, parent, and member of school board to*
14 *co-operate with such attendance officers in every way possible as directed by the county*
15 *superintendent in enforcing the provisions of this Act.*

16 (b) *In case any person shall fail to send any child or children under his control*
17 *to some lawful school the attendance officer, upon having proper notice thereof, shall,*
18 *as soon as practicable thereafter, give notice in person or by mail to the person having*
19 *control of such child or children, that such child or children under his control shall be*
20 *present at the proper public school on the day following the receipt of such notice.*
21 *Said notice shall inform the person having control of such child or children of the*
22 *date that attendance must begin and that such attendance at school must be continuous*
23 *and consecutive during the remaining school year as taught in the district. The attend-*
24 *ance officer shall at the same time that the said notice is given to the person having con-*
25 *trol of said child or children notify the teacher or superintendent of the fact of notice*
26 *and it shall be the duty of the teacher or superintendent to notify the attendance officer*
27 *of the failure on the part of such person having the child or children in control to comply*
28 *with said notice.*

29 (c) *It shall be the duty of all attendance officers after having given notice, as*
30 *herein provided, to any person having control over any child or children not attending*
31 *school, as provided in this Act, to determine whenever such notice has been complied*
32 *with, and in case of failure of compliance therewith, he shall, as soon as possible there-*
33 *after, make complaint against such person before any justice of the peace in the county*
34 *where such person resides, for failure to comply with the provisions of this Act; and in*
35 *every such case it shall be the duty of such justice of the peace to issue a warrant upon*
36 *said complaint and to proceed to hear and determine the same in the manner as provided*
37 *by statute for other cases under his jurisdiction, and in case of conviction of such person*
38 *for violation of this Act, such person shall be punished according to the provisions of*
39 *this Act.*



1 Introduced by Mr. Bippus, May 5, 1921.

2 Read by title, ordered printed and referred to Committee on Waterways.



A BILL

For an Act to amend Section 17 of an Act entitled "An Act to create sanitary districts and to remove obstructions in the DesPlaines and Illinois Rivers," approved May 29, 1889, in force July 1, 1889, as amended.



SECTION 1. *Be it enacted by the People of the State of Illinois, represented in*
2 *the General Assembly:* That Section 17 of an Act entitled "An Act to create Sanitary
3 Districts and to remove obstructions in the DesPlaines and Illinois Rivers," approved
4 May 29, 1889, in force July 1, 1889, as amended, be and the same is hereby amended
5 to read as follows:

Sec. 17. When it shall be necessary in making any improvements which any
2 district is authorized by this act to make, to enter upon any public property or property
3 held for public use, such district shall have the power so to do and may acquire the
4 necessary right of way over such property held for public use in the same manner as
5 is above provided for acquiring private property, and may enter upon, use, widen,
6 deepen and improve any navigable or other waters, waterways, canal or lake; *and the*
7 *channel or bed of any river, water course or stream used by such district as an outlet*

8 *for drainage, may be changed in order to straighten the same, if the capacity of the*
9 *channel is maintained unimpaired: Provided, the public use thereof shall not be un-*
10 *necessarily interrupted or interfered with, and that the same shall be restored to its*
11 *former usefulness as soon as practicable.*

12 Every such district may build suitable bridges with suitable approaches thereto,
13 with roadways and sidewalks thereon for public travel across its main drainage chan-
14 nel on the line of Crawford avenue, sometimes called Fortieth avenue, in the City of
15 Chicago, as extended across the said main channel; and also on the line of California
16 avenue in the City of Chicago as extended across said main drainage channel; also on
17 the line of Cicero avenue, sometimes called Forty-eighth avenue, which lies partly in
18 the City of Chicago and partly in the township of Stickney, as extended across said
19 main drainage channel; and on the line of Harlem avenue, sometimes called Seventy-
20 second avenue, as extended across said main drainage channel, all in the County of
21 Cook. *Provided, that such bridges shall be without center piers and shall otherwise*
22 *conform to the requirements of the Federal Government with regard to the width of*
23 *the channel, clearance and other regulations designed to prevent interference with com-*
24 *merce. Said bridges with approaches, roadways and sidewalks thereon shall be there-*
25 *after maintained in good order for public travel by any such district as a corporate*
26 *expense, and no compensation shall be demanded or required to be paid any such dis-*
27 *trict for its land necessarily taken to form part of a street or highway to afford*
28 *access to any such bridge or as compensation for such bridges and their appurtenances*
29 *as aforesaid: Provided, however, that if any such bridges with approaches, roadways*
30 *and sidewalks thereon shall lie wholly within the territorial limits of any one mu-*
31 *nicipality, then any such bridges and appurtenances shall on completion be turned over*
32 *to the corporate authorities of any such municipality free of cost, and shall thereupon*
33 *become the property of such municipality, and be maintained in good order for public*
34 *travel by such municipality: And, provided, further, however, that if any land of such*
35 *district is necessarily taken to form part of a street or roadway leading to any such*
36 *bridge, which land lies wholly within such municipality, or if such district shall enter*
37 *into a contract with any such municipality for the dedication of the right of way for*

38 a street across or over any lands of such district adjoining such main channel for an ap-
39 proach, or roadway leading to any such bridge lying wholly within any such munici-
40 pality, then such street shall become a part of the public highways of such municipality,
41 and such municipality shall thereafter maintain such street and all parts and portions
42 thereof and shall place any and all improvements that such municipality may deem
43 necessary in such street without any cost or charge of any kind to said district.

AMENDMENT TO
52d G. A. HOUSE BILL NO. 758 1921



1 Adopted June 10, 1921.

AMENDMENT NO. 1.

Amend House Bill No. 758, page 2, line 1, by adding the following after the
2 word “practicable”; “Provided further, that before any such work shall be
3 started, plans for such proposed change or straightening of streams shall first
4 be submitted to the Department of Public Works and Buildings of the State for
5 approval and a permit obtained therefor under the seal of the Director of said
6 Department.”

-
- 1 Introduced by Mr. Harry Wilson, May 5, 1921.
2 Read by title, ordered printed and referred to Committee on Education.

A BILL

For an Act to amend Sections 86, 91, 126 and 126a of "An Act to establish and maintain a system of free schools" approved and in force June 12, 1909, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the*
2 *General Assembly:* That Sections 86, 91, 126 and 126a of "An Act to establish and
3 maintain a system of free schools," approved and in force June 12, 1909, as amended,
4 be amended to read as follows:

Sec. 86. If a majority of the votes cast shall be in favor of establishing
2 a township high school it shall be the duty of the treasurer to call a special elec-
3 tion on any Saturday within 30 days for the purpose of electing a township high
4 school board of education, to consist of 5 members, which shall be the maximum
5 number, notice of which election shall be given for the same time and in the same
6 manner as provided in the election of trustees of schools. The members elected
7 shall determine by lot, at their first meeting, the length of time each is to serve.
8 Two of the members shall serve for one year, two for two years and one for three
9 years from the second Saturday of April next preceding their election. At the ex-

10 piration of the term of office of any member or members a successor or successors
 11 shall be elected, each of whom shall serve for three years, which subsequent elec-
 12 tion shall be held on the second Saturday in April. In case of a vacancy the board
 13 shall call an election without delay to be held on any Saturday. Such election shall
 14 be held at the school house or such other place as may be designated by the proper
 15 officers in the notice of election.

16 The nominations of candidates for offices of members of the board of educa-
 17 tion shall be made only by petition. All petitions shall be filed with the secretary
 18 at least 10 days before the day of election. All petitions shall be signed by at least
 19 50 legal voters or 10 per cent of the legal voters of the district; that is to say, if 10
 20 per cent of the legal voters amount to more than 50 voters then the signatures of 50
 21 or more legal voters to any petition will be sufficient. The names of candidates shall
 22 be printed on the ballot in the order in which the petitions are filed with the secretary.

23 The ballots to be used at all elections held for the selection of a member or
 24 members of the township high school board of education shall be furnished by the
 25 township high school district and shall be in substantially the following form:

OFFICIAL BALLOT

Vote for

<input type="checkbox"/>	James Madison
<input type="checkbox"/>	James Monroe
<input type="checkbox"/>	_____
<input type="checkbox"/>	_____

26 The official ballots shall remain in charge of the judges of the election. One of
 27 the judges shall give the voter one and only one ballot, on the back of which such
 28 judge shall endorse his initials in such manner that they may be seen when the ballot
 29 is properly folded and returned. Upon the receipt of his ballot the voter shall forth-
 30 with, without leaving the inclosure in which the election is held, prepare his ballot

31 by making a cross-mark in the square or squares preceding the name or names of the
32 candidate or candidates of his choice or by writing in the name or names of the can-
33 didate or candidates of his choice in the blank space or spaces on the ballot making
34 a cross-mark in the square or squares preceding the name or names so written and
35 the ballot shall be so counted. The voter shall fold the ballot so as to conceal the
36 cross-marks thereon and deposit the ballot without undue delay. No voter shall vote
37 or offer to vote any ballot except the official ballot received from the judges of the
38 election.

39 Any voter who may declare that he cannot read the English language or that by rea-
40 son of any physical disability is unable to mark his ballot shall, upon request, be assisted
41 in marking his ballot by the two judges of the election who shall mark the ballot as
42 directed by the voter and shall thereafter give no information regarding the same.

43 Within 10 days after the election the members of the township high school board
44 of education shall meet and organize by electing one of their number president and by
45 electing a secretary. It shall be the duty of such high school board of education to es-
46 tablish, at a site or sites lawfully selected, one or more high schools for the education of
47 the more advanced pupils.

Sec. 91. For the purpose of building one or more high schools, conducting and
2 supporting such schools and paying all necessary expenses, the territory for the benefit
3 of which a high school is established under any of the provisions of this Act, and all
4 high school districts organized under any statute in force at the time of their organiza-
5 tion, and all high school districts legalized by statute shall be regarded as school districts
6 and the board of education of each of said high school districts shall in all respects have
7 the powers and discharge the duties of boards of education elected under the general
8 school law in common school districts having a population of one thousand or more and
9 not exceeding one hundred thousand inhabitants. The board of education of any such
10 high school district shall have the right to build or acquire and maintain one or more
11 sites and erect thereon buildings when in their judgment such additional facilities are
12 needed by the district and the site or sites therefor have been lawfully selected.

13 In all elections held under the provisions of this act the board of education shall

14 have the power to establish a suitable number of voting precincts for the accommoda-
 15 tion of voters of the district in which said election is held and shall fix the boundaries of
 16 said precincts and designate one polling place in each, which precincts shall be com-
 17 posed of contiguous territory in as compact form as may be for the convenience of
 18 the electors voting therein. Said board shall appoint two judges and one clerk for each
 19 polling place assigning as far as practicable at least one member of such board to each
 20 polling place. Notice of all such elections shall be in the form now prescribed by law
 21 and be posted by the said board of education in at least 3 public places in each of said
 22 voting precincts at least 10 days before the day of election.

Sec. 126. The election of boards of education shall be governed by the provisions of
 2 this Act relating to the election of boards of directors: *Provided, however,* that boards of
 3 education shall have power to establish a suitable number of voting precincts, and fix the
 4 boundaries thereof for the accommodation of the voters of the district in which such
 5 election is held, in each of which voting precincts there shall be one polling place desig-
 6 nated by the board. Whenever the board of education shall establish more than one vot-
 7 ing precinct for such election they shall appoint two judges and one clerk for each poll-
 8 ing place, assigning, so far as practicable, at least one member of such board to each
 9 polling place. When the time for the election of members of boards of education or
 10 boards of inspectors is fixed by virtue of any special act, such election may be held at
 11 the time provided for the election of school directors.

Sec. 126a. The nominations of candidates for the offices of president and members
 2 of the board of education shall be made only by petition which shall be in substantially
 3 the following form:

NOMINATING PETITION

To the secretary of the board of education of district numbered.
 in. county.

We, the undersigned, being. or more of the inhabi-
 tants and legal voters residing within said district, hereby petition that
 who resides at in said

district shall be a candidate for the office of..... of
the board of education, to be voted for at the election to be held on the
.....day of19....

Name Address

The foregoing petition shall be verified by a certificate, which may be substantially
as follows:

I,, hereby certify that I am a legal voter
and reside within the district described in this petition and that the signa-
tures on this sheet were signed in my presence and are genuine and that
to the best of my knowledge and belief the persons so signing were at the
time of signing qualified voters.

Subscribed and sworn to before me this day of
.....19....

All petitions shall be filed with the secretary of the board of education at least 10
days before the day of election. All petitions shall be signed by at least 50 legal voters
or 10 per cent of the legal voters of the district; that is to say, if 10 per cent of the
legal voters amount to more than 50 voters then the signatures of 50 or more legal vot-
ers to any petition will be sufficient. When petitions are in apparent conformity with the
requirements of this section they shall be received and filed and the names of the can-
didates shall be printed on the ballot in the order in which the petitions are filed with
the secretary.

14 The ballot to be used at all elections held for the selection of a president and mem-
 15 bers of the board of education shall be furnished by the district and shall be substan-
 16 tially in the following form:

OFFICIAL BALLOT

For president to serve for

one year

Vote for one

☐ John Adams
☐ _____

For two members to serve for

three years

Vote for two

☐ James Madison
☐ James Monroe
☐ _____
☐ _____

17 The official ballots shall remain in charge of the judges of the election. One of the
 18 judges shall give the voter one and only one ballot, on the back of which such judge
 19 shall endorse his initials in such manner that they may be seen when the ballot is prop-
 20 erly folded and returned. Upon the receipt of his ballot the voter shall forthwith,
 21 without leaving the inclosure in which the election is held, prepare his ballot by making
 22 a cross-mark in the square or squares preceding the name or names of the candidate or
 23 candidates of his choice or by writing in the name or names of the candidate or candi-
 24 dates of his choice in the blank space or spaces on the ballot making a cross-mark in
 25 the square or squares preceding the name or names so written and the ballot shall be so
 26 counted. The voter shall fold the ballot so as to conceal the cross-marks thereon and

27 deposit the ballot without undue delay. No voter shall vote or offer to vote any bal-
28 lot except the official ballot received from the judges of the election. Such election shall
29 be held at the school house or such place as may be designated by the proper officers
30 in the notice of election.

31 Any voter who may declare that he cannot read the English language or that by
32 reason of any physical disability is unable to mark his ballot shall, upon request, be
33 assisted in marking his ballot by the two judges of the election who shall mark the bal-
34 lot as directed by the voter and shall thereafter give no information regarding the same.

35 Any person who shall electioneer or who shall solicit votes on election day within
36 any polling place or within one hundred feet of any polling place, or who shall inter-
37 rupt, hinder or oppose any voter while approaching the polling place for the purpose
38 of voting shall be deemed guilty of a misdemeanor and upon conviction thereof shall be
39 fined in a sum not less than twenty-five dollars and not more than one hundred dollars
40 for each offense.



- 1 Introduced by Mr. Young, May 5, 1921.
- 2 Read by titles, ordered printed and referred to Committee on Revenue.

A BILL

For an Act to amend Section 2 of an Act entitled, "An Act concerning the levy and extension of taxes," approved May 9, 1901, in force July 1, 1901, as subsequently amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That Section 2 of an Act entitled, "An Act concerning the levy and extension of taxes," approved May 9, 1901, in force July 1, 1901, as subsequently amended, be and the same is hereby amended to read as follows:

Sec. 2. The county clerk in each county shall ascertain the rates per cent required to be extended upon the assessed valuation of the taxable property in the respective towns, townships, districts, incorporated cities and villages in his county, as equalized by the State Board of Equalization for the current year, to produce the several amounts certified for extension by the taxing authorities in said county (as the same shall have been reduced as hereinbefore provided in all cases where the original amounts exceed the amount authorized by law): *Provided, however,* that if the aggregate of all taxes (exclusive of State taxes, township taxes, village taxes, levee taxes, public tuberculosis sanitarium taxes, pension fund taxes, school building taxes, high school taxes, district

10 school taxes and all other school taxes in school districts having not more than 100,000
 11 inhabitants, road and bridge taxes, and taxes levied for the payment of the principal
 12 of and the interest on bonded indebtedness of cities, and for the payment of the prin-
 13 cipal of and the interest on park bonds hereafter issued and exclusive of taxes levied
 14 pursuant to the mandate or judgment of any court of record on any bonded indebted-
 15 ness), certified to be extended against any property in any part of any taxing district
 16 or municipality, shall exceed two per cent of the assessed valuation thereof upon which
 17 the taxes are required to be extended, the rate per cent of the tax levy of such taxing
 18 district or municipality shall be reduced as follows: The county clerk shall reduce the
 19 rate per cent of the tax levy of such taxing district or municipality in the same propor-
 20 tion in which it would be necessary to reduce the highest aggregate per cent of all the
 21 tax levies (exclusive of State taxes, township taxes, village taxes, levee taxes, public
 22 tuberculosis sanitarium taxes, pension fund taxes, school building taxes, high school
 23 taxes, district school taxes and all other school taxes in school districts having not more
 24 than 100,000 inhabitants, road and bridge taxes, and taxes levied for the payment of the
 25 principal of and the interest on bonded indebtedness of cities, and for the payment of
 26 the principal of and the interest on park bonds hereafter issued and exclusive of taxes
 27 levied pursuant to the mandate or judgment of any court of record on any bonded
 28 indebtedness,) certified for extension upon any of the taxable property in said taxing
 29 district or municipality, to bring the same down to two per cent of the assessed value
 30 of said taxable property upon which said taxes are required by law to be extended:
 31 *Provided, further,* that in reducing tax levies hereunder from the taking effect of
 32 this act to and including the year A. D. 1921, the rate per cent of the tax levy for
 33 county purposes in counties having a population of over 300,000 shall not be reduced
 34 below a rate of thirty-six and two-thirds cents on each one hundred dollars assessed
 35 value (exclusive of levies to pay the principal of and interest on bonded indebtedness
 36 and judgments and Mothers' Pension Fund), and thereafter shall not be reduced
 37 below a rate of thirty cents on each one hundred dollars assessed value (exclusive
 38 of levies to pay the principal and interest on bonded indebtedness, judgments and
 39 Mothers' Pension Fund) and in counties having a population of less than 300,000 the

40 rate of the tax levy for county purposes shall not be reduced below a rate of fifty
41 cents on each one hundred dollars assessed value (exclusive of levies to pay the prin-
42 cipal of and interest on bonded indebtedness and judgments), and the rate per cent of
43 the tax levy for city or village purposes (exclusive of library, public tuberculosis
44 sanitarium, pension fund, school and park purposes and exclusive of the taxes levied
45 for the payment of the principal of and the interest on bonded indebtedness in cities
46 and villages having a population of over 150,000 shall not be reduced below a rate
47 of one dollar and forty-three and one-third cents ($\$1.43\frac{1}{3}$) on each one hundred
48 dollars assessed value, and the rate per cent of the school tax for educational pur-
49 poses shall not be reduced below a rate of one dollar and twenty cents on each one
50 hundred dollars assessed value, and the rate per cent of the tax levy for library pur-
51 poses shall not be reduced below a rate of five and one-third cents on each one hun-
52 dred dollars assessed value, and the rate per cent of the tax levy for city or village
53 purposes (exclusive of library, school and park purposes, and exclusive of the taxes
54 levied for the payment of the principal of and the interest on bonded indebtedness and
55 judgments) in cities and villages having a population of less than 150,000, shall not
56 be reduced below a rate of one dollar and thirty-three and one-third cents ($\$1.33\frac{1}{3}$)
57 on each one hundred dollars assessed value, and the rate per cent of the school tax
58 for educational purposes shall not be reduced below a rate of one dollar and twenty
59 cents on each one hundred dollars assessed value, and the rate per cent of the tax
60 levy for library purposes shall not be reduced below a rate of five and one-third
61 cents on each one hundred dollars assessed value, and the rate per cent of the tax
62 levy for city or village purposes (exclusive of library, school and park purposes, and
63 exclusive of the taxes levied for the payment of the principal of and the interest on
64 bonded indebtedness and judgments) in cities and villages having a population of less
65 than 150,000, shall not be reduced below a rate of one dollar and thirty-three and
66 one-third cents ($\$1.33\frac{1}{3}$) on each one hundred dollars assessed value, and the rate
67 per cent of the school tax levy for educational purposes shall not be reduced below
68 the maximum rate allowed by law, and the rate per cent of the tax levy for park
69 purposes in districts organized and existing under an act entitled, "An Act to provide

70 for the creation of pleasure driveway and park districts," approved June 19, 1893, in
 71 force July 1, 1893, shall not be reduced below a rate of forty cents on each one hun-
 72 dred dollars assessed value (exclusive of levies to pay the principal and interest on
 73 bonded indebtedness and judgments), *and the rate per cent of the tax levy for Sanitary*
 74 *District purposes in Sanitary Districts organized and existing under an act entitled,*
 75 *"An Act to create sanitary districts and to remove obstructions in the Des Plaines*
 76 *and Illinois rivers" approved May 29, 1889, in force July 1, 1889, shall not be re-*
 77 *duced below a rate of thirty cents on each one hundred dollars assessed value (ex-*
 78 *clusive of levies to pay the principal and interest on bonded indebtedness, but the*
 79 other taxes which are subject to reduction under this section shall be subject only to
 80 such reduction, respectively, as would be made therein under this section if this pro-
 81 viso were not inserted herein: *And, provided, further,* in reducing tax levies here-
 82 under, all school taxes levied in cities exceeding 150,000 inhabitants, with the excep-
 83 tion of the levy for school building purposes, shall be included in the taxes to be
 84 reduced.

85 The rate per cent of the tax levy of every county, city, village, town, township,
 86 park district, sanitary district, road district, and other public authorities (except
 87 the State), shall be ascertained and determined (and reduced when necessary as
 88 above provided) in the manner hereinbefore specified, and shall then be extended by
 89 the county clerk upon the assessed value of the property subject thereto (being one-
 90 half of the full value thereof) as equalized according to law. In reducing the rate
 91 per cent of any tax levy as hereinbefore provided, the rates per cent of all tax levies
 92 certified to the county clerk for extension as originally ascertained and determined
 93 under section 1 of this act, shall be used in ascertaining the aggregate of all taxes
 94 certified to be extended without regard to any reduction made therein under this
 95 section: *Provided,* that no reduction of any tax levy made hereunder shall diminish
 96 any amount appropriated by corporate or taxing authorities for the payment of the
 97 principal or interest on bonded debt, or levied pursuant to the mandate or judgment of
 98 any court of record. And to that end every such taxing body shall certify to the
 99 county clerk, with its tax levy, the amount thereof required for any such purposes.

100 In case of a reduction hereunder any taxing body whose levy is affected thereby
101 and whose appropriations are required by law to be itemized, may, after the same
102 have been ascertained, distribute the amount of such reduction among the items of
103 its appropriations, with the exceptions aforesaid, as it may elect. If no such election
104 is made within three months after the extension of such tax, all such items, except
105 as above specified, shall be deemed to be reduced pro rata.



- 1 Introduced by Mr. Mooneyham, May 5, 1921.
- 2 Read by title, ordered printed and referred to-Committee on Military Affairs.

A BILL

For an Act to amend Section 1 and the title of "An Act permitting all former soldiers and sailors of the United States or of the State of Illinois, honorably discharged from the military or marine service of the United States, or of the State of Illinois, the right to vend, hawk and peddle goods, wares, fruits or merchandise, not prohibited by law, in any county, town, village, incorporated city or municipality in the State of Illinois," approved May 11, 1901, in force July 1, 1901, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Section 1 of "An Act permitting all former soldiers and sailors of the United States or of the State of Illinois, honorably discharged from the military or marine service of the United States, or of the State of Illinois, the right to vend, hawk and peddle goods, wares, fruits or merchandise, not prohibited by law, in any county, town, village, incorporated city or municipality in the State of Illinois," approved May 11, 1901, in force July 1, 1901, as amended, is amended to read as follows:

Sec. 1. On and after the passage of this act, all former soldiers and sailors of
2 the United States, or of the State of Illinois, honorably discharged from the military,
3 *naval* or marine service of the United States, or of the State of Illinois, *including*
4 *former soldiers and sailors of the World War*, shall be permitted to vend, hawk and
5 peddle goods, wares, fruits or merchandise, not prohibited by law, in any county, town,
6 village, incorporated city or municipality, within this State, without a license: *Provided*,
7 said soldier or sailor is engaged in the vending, hawking or peddling of said goods,
8 wares, fruits or merchandise, for himself only.

Sec. 2. The title of said act is amended to read as follows: "*An Act permitting*
2 *former soldiers and sailors of the United States, or of the State of Illinois, honorably*
3 *discharged from the military, naval or marine service of the United States, or of the*
4 *State of Illinois, to vend, hawk and peddle goods, wares, fruits or merchandise, not*
5 *prohibited by law, in any county, town, village, incorporated city or municipality in*
6 *the State of Illinois.*"



- 1 Introduced by Mr. Overland, May 5, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to add Sections 42a, 42b, 42c and 42d, to the Motor Vehicle Law, approved June 30th, 1919, in force January 1st, 1920.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* Section 42a, 42b, 42c and 42d are added to the Motor Vehicle
3 Law, approved June 30th, 1919, in force January 1st, 1920. Said Section shall read
4 as follows:

Sec. 42a. It shall be unlawful for any person, firm or corporation to operate any
2 motor vehicle along or on any public street or highway in any incorporated city, town
3 or village in this State having a population of one hundred thousand or more, for the
4 carriage of passengers for hire, indiscriminately accepting and discharging all such
5 persons as may offer themselves for transportation, unless such person, firm or corpora-
6 tion shall have given, and there shall be in full force and effect and on file with the
7 Secretary of State of the State of Illinois at all times during which such motor vehicle
8 is being driven or operated, either

(1) A bond of the owner of said motor vehicle with a solvent and responsible surety company authorized to do business under the laws of this State as surety thereon, or a bond of such owner executed by two or more personal sureties, and in such event each surety on such bond shall attach to said bond his or her statement in writing, duly sworn to and acknowledged, setting forth that he or she owns in fee simple certain described real estate and its location and legal description, together with its actual market value, and no property shall be accepted thereon which is not located in the State of Illinois, and free from all incumbrances and claims of every kind and description, and the total value of all property scheduled on each of such bonds shall be not less than double the amount of such bond; and such bond for the full amount thereof shall by its terms be a lien for the benefit of the beneficiaries in said bond on such real estate so scheduled, and shall be recorded in the offices of the Recorder of Deeds in each County in which such real estate is situated; either of said bonds to be in the sum of ten thousand dollars for each such motor vehicle so operated by the owner. Said bonds shall be conditioned that the owner of said motor vehicle (giving its manufacturer's number and state license number) will pay all loss or damage that may result to any person or his personal representative or to any property from the negligent operation of or defective construction of said motor vehicle, or which may arise or result from any violations of any of the provisions of the laws of the State of Illinois, and shall by its terms inure to the benefit of any and all persons and their personal representatives suffering loss or damage either to person or property as herein provided, and shall provide that suit may be brought in any court of competent jurisdiction upon said bond by any person, firm or corporation suffering any loss or damage as herein provided. Said bond shall further contain a provision for a continuing liability thereunder notwithstanding any recovery thereon. If at any time in the judgment of the Secretary of State said bond is not sufficient for any cause, he may require the owner of such motor vehicle who filed the same to replace said bond with another good and sufficient bond or insurance policy in accordance with the provisions of this Act; or

37 (2) A policy of insurance in a solvent and responsible company authorized to
38 do business in the State of Illinois, insuring said owner of said motor vehicle against
39 loss by reason of injury, death or damage that may result to any person or his per-
40 sonal representatives, or to property, from the negligent operation of said motor
41 vehicle. Said policy of insurance shall be limited to the sum of Ten Thousand Dollars
42 for each motor vehicle so operated, and shall provide for payment to any person suffer-
43 ing injury or damage, or to the personal representatives of such persons, of any final
44 judgment rendered against the owner of said motor vehicle, irrespective of the financial
45 responsibility or legal status of the owner of said motor vehicle. If at any time said
46 policy of insurance be cancelled by the issuing company, or the authority of said issuing
47 company to do business in the State of Illinois be revoked, the Secretary of State shall
48 require the owner who filed the same either to furnish a bond or replace said policy with
49 another policy according to the provisions of this Act. Said policy of insurance shall
50 also contain a provision that the same cannot be cancelled by the company issuing the
51 same without giving twenty days' notice in writing of such cancellation to the Secretary
52 of State and filing said notice in his office. Whenever any such policy shall be so can-
53 celled, the Secretary of State shall require such owner either to furnish a bond or a
54 new policy of insurance in accordance with the provisions of this Act.

Sec. 42b. Every person, firm or corporation desiring to operate a motor vehicle
2 along or upon any public street or highway in any city in this State having a population
3 of more than one hundred thousand, for the carriage of passengers for hire, indis-
4 criminate accepting and discharging such persons as may offer themselves for trans-
5 portation, shall file with the Secretary of State an application for the approval of the
6 Secretary of State of the bond or insurance policy tendered under the provisions of this
7 Act by such person, firm or corporation; and if the Secretary of State shall determine
8 that such bond or insurance policy complies with the provisions of this Act, he shall
9 accept such bond or insurance policy and shall thereupon issue to such applicant a
10 certificate setting forth the facts that the applicant has, in respect to the vehicle
11 described therein, complied with the provisions of this Act. All such bonds and insur-

12 ance policies shall, upon acceptance, be numbered serially, and such certificates shall be
13 numbered in like series.

Sec. 42c. If any such bond or insurance policy so filed shall for any reason
2 become inoperative, it shall be unlawful for any person, firm or corporation to operate
3 such motor vehicle until a bond or insurance policy meeting the requirements of this
4 Act shall have been filed with the Secretary of State.

Sec. 42d. Every officer, agent or employe of any corporation and every other
2 person who violates or fails to comply with any provisions of Sections 42a, 42b, 42c,
3 of this Act, or who fails to obey, observe or comply with any order of the Secretary
4 of State in accordance with the provisions of said Sections of this Act, shall be guilty
5 of a misdemeanor, and shall be punished by a fine of not less than One Hundred
6 Dollars and not more than Five Hundred Dollars, or by imprisonment in the County
7 Jail for a period or not less than thirty (30) days nor more than one (1) year, or by
8 both such fine and imprisonment.



1 Introduced by Mr. Ben L. Smith, May 5, 1921.

2 Read by title, ordered printed and referred to Committee on Education.

A BILL

For an Act to amend Section 96 of "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in*
2 *the General Assembly:* Section 96 of "An Act to establish and maintain a system of
3 free schools," approved and in force June 12, 1909, as amended, is amended to read
4 as follows:

Sec. 96. Upon the approval of the county superintendent of schools, any high
2 school pupil may attend a recognized high school more convenient in some district
3 other than the high school district in which he resides, and the board of education of
4 the high school district in which said pupil resides shall pay the tuition of such pupil:
5 *Provided*, said tuition shall not exceed the per capita cost of maintaining the high
6 school attended: *And, provided further, that such tuition shall be paid out of the*
7 *funds for said district in the hands of the county collector not later than July first of*
8 *each year, and the certificate of transfer, attendance and cost shall be delivered by the*
9 *county collector to the proper township treasurer along with his regular payments to*

10 said treasurer. Said certificate of transfer, attendance and cost shall be substantially
11 in the following form:

12 TRANSFER OF HIGH SCHOOL PUPIL.

13 This is to certify that....., a high school student living
14 in School District No.County, Illinois, is hereby
15 transferred to attend the high school, in School District No.
16 County, Illinois. The tuition for said student to be paid out of school funds of School
17 District No.County, Illinois.

18
19 County Superintendent.

20 CERTIFICATE OF ATTENDANCE AND COST.

21 We, the undersigned, hereby certify that
22 attended high school in School District No.
23 County, Illinois, for.....weeks, and that the per capita cost for the year was
24dollars, and that the total tuition dues are
25dollars.

26
27 Superintendent or Principal District No.....

28 Countersigned by
29 County Superintendent of Schools,County, Illinois.

30 Any eighth grade graduate residing in a non-high school district may attend any
31 recognized two, three or four year high school, and his tuition shall be paid by the
32 board of education of the non-high school district in which he resides.

33 An eighth grade graduate in the meaning of this Act is any person of school age
34 who gives satisfactory evidence of having completed the first eight grades of school
35 work by presenting a certificate of promotion issued by the home school board, or by
36 passing an examination given by the county superintendent of schools, or by passing
37 an examination given by the school attended.

38 A recognized high school in the meaning of this Act is any public high school
39 providing a course of two or more years of work approved by the Superintendent of
40 Public Instruction.

41 The tuition paid shall in no case exceed the per capita cost of maintaining the
42 high school attended, excluding therefrom interest paid on bonded indebtedness, which
43 shall be computed by dividing the total cost of conducting and maintaining the said
44 high school by the average number of pupils enrolled, including tuition pupils.



1 Introduced by Mr. Short, May 5, 1921.

2 Read by title, ordered printed and referred to Committee on Municipalities.

A BILL

For an Act to amend sections 1, 7 and 9 of an Act entitled, "An Act in relation to oil inspection," approved June 29, 1915, in force July 1, 1915, and to repeal section 8 thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in*
2 *the General Assembly:* Sections 1, 7 and 9 of an Act entitled, "An Act in relation
3 to oil inspection," approved June 29, 1915, in force July 1, 1915, are amended to read
4 as follows:

Sec. 1. That the mayor of any city, with the approval of the city council, the
2 president of the board of trustees of any village or incorporated town, with the ap-
3 proval of such board of trustees, may appoint one or more inspectors for the inspec-
4 tion of coal oil, petroleum, naphtha, gasoline, benzine, mineral seal, signal and other
5 mineral oils or fluids, fix the compensation of such inspectors and prescribe the fees
6 to be paid by those for whom such inspectors render services. The county judge of
7 any county may appoint such inspectors for territory not within city limits, village or
8 incorporated town, fix their compensation and fees. Every such inspector shall hold
9 office for one year, and until his successor is qualified, and with the approval of the
10 power appointing him, may appoint deputies, for whom he shall be responsible, who
11 shall take the same oath and be liable to the same penalties as the inspector. All the
12 fees collected by such inspector or deputy shall be paid by him into the county, city,

13 village or town treasury and be the property of such county, city, village or town. The
 14 salary of such inspector shall not exceed five thousand dollars (\$5,000.00) per year.

Sec. 7. Any refiner or producer or any dealer in, or manufacturer, person, firm
 2 or corporation using, directly or in the manufacture of their product, coal oil, naph-
 3 tha, gasoline, benzine, mineral seal, signal or other mineral oil or fluid, the product
 4 of petroleum, in any County, city, village or town in which such inspector is ap-
 5 pointed, who shall neglect to give notice to such inspector, of any such oil or fluid in
 6 his possession, within two days after the same is made or refined by him or received
 7 into his possession, or shall offer any such oil or fluid for sale before the same has
 8 been so inspected, or shall sell or attempt to sell to any person, for illuminating pur-
 9 poses, any such oil which is below the approved standard—that is, having igniting
 10 point less than one hundred and fifty degrees Fahrenheit, as indicated and determined
 11 in the manner herein provided, or shall use any package, cask, barrel or other thing
 12 having the inspection brand thereon, the oil or fluid therein not having been inspected,
 13 or shall counterfeit any brand, shall be fined not exceeding \$200 and be liable to the
 14 party injured for all damages occasioned thereby, and all the casks, barrels or pack-
 15 ages so falsely used, and their contents, shall be forfeited, and may be seized and sold;
 16 *and no such oil or fluid shall be sold, offered for sale, or distributed in any city, town*
 17 *or village unless and until the same shall have been inspected by the oil inspector of*
 18 *such city, town or village.*

Sec. 9. The fines herein provided may be recovered in the name of the People
 2 of the State of Illinois before any justice of the peace of the county where the offense
 3 is committed, and if the offense is committed in the City of Chicago, then before the
 4 municipal court of Chicago, and when collected, one-half shall be paid to the informer,
 5 and the other half and the proceeds of the sale of all casks, barrels and packages, and
 6 the contents thereof seized, as therein provided, shall be paid into the *county, city,*
 7 *village or town treasury.*

Sec. 2. Section 8 of said Act is repealed.



- 1 Introduced by Committee on Appropriations, May 5, 1921.
2 Read at large a first time, ordered printed and to a second reading.

A BILL

For an Act making an appropriation to pay the expenses of the committees of the Fifty-second General Assembly of the State of Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* That the following sum, or so much thereof as may be necessary,
3 is hereby appropriated to pay the expenses of the committees of the Fifty-second
4 General Assembly of the State of Illinois:

5 To the House of Representatives the sum of two thousand dollars (\$2,000.00),
6 or so much thereof as may be necessary, to be expended upon presentation of vouchers
7 certified to by the chairman of the committee incurring the expenses and approved
8 by the Speaker of the House of Representatives.

Sec. 2. The Auditor of Public Accounts is hereby authorized and directed to
2 draw his warrant upon the State Treasurer for the sum herein specified, upon pre-
3 sentation of proper vouchers certified by the chairman of the committee incurring the

4 expenses and the presiding officer of that branch of the General Assembly appointing
5 the committee.

Sec. 3. The appropriation above recited is necessary for the payment of the ex-
2 penses of the committees of the Fifty-second General Assembly now being incurred in
3 the transaction of business assigned to said committees. Therefore, an emergency
4 exists, and this Act shall take effect from and after its passage.



- 1 Introduced by Committee on Appropriations, May 5, 1921.
- 2 Substitute for House Bill No. 14.
- 3 Read at large a first time, ordered printed and to a second reading.



A BILL

For an Act making an appropriation for the purpose of refunding to counties of the State the share of the cost paid by such counties of certain durable hard surfaced roads.



SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That the sum of three million, seven hundred forty thousand,
3 nine hundred thirty-five dollars and eighty-six cents (\$3,740,935.86), or so much
4 thereof as may be necessary, is hereby appropriated to the Department of Public Works
5 and Buildings payable from the Road Fund for the purpose of refunding to counties
6 of the State the share of the cost of construction paid by such counties of certain
7 durable hard surfaced roads or parts thereof which have been constructed by such
8 counties and the State jointly or by such counties alone and accepted by the State
9 and utilized by the State in its state-wide system of durable hard surfaced roads in
10 accordance with the provisions of section 10 of "An Act in relation to the construc-
11 tion by the State of Illinois of a state-wide system of durable hard surfaced roads
12 upon public highways of the State and the provision of means for the payment of the

13 cost thereof by an issue of bonds of the State of Illinois," approved June 22, 1917,
 14 in force July 1, 1917 and ratified by the people November 5, 1918.

Sec. 2. The appropriations herein made shall be payable in not to exceed the re-
 2 spective amounts specified to the following counties:

3	Bond County	\$114,837.53
4	Boone County	3,937.34
5	Bureau County	6,836.42
6	Cass County	5,851.17
7	Champaign County	74,453.33
8	Clark County	126,259.34
9	Coles County	36,876.16
10	Cook County	687,935.42
11	Crawford County	10,014.12
12	Cumberland County	94,209.05
13	De Kalb County	51,509.00
14	Douglas County	8,993.93
15	Du Page County	82,042.00
16	Edgar County	1,577.20
17	Edwards County	1,498.69
18	Effingham County	106,181.45
19	Fayette County	160,526.53
20	Fulton County	28,585.10
21	Iroquois County	65,788.51
22	Jasper County	3,350.74
23	Jefferson County	4,168.35
24	Kane County	113,639.55
25	Kankakee County	13,239.47
26	Lake County	143,681.62
27	Lee County	75,726.00
28	Livingston County	13,119.87
29	Logan County	3,058.65

30	Macoupin County	73,176.31
31	Madison County	206,032.34
32	Mason County	55,882.46
33	Mercer County	3,870.00
34	Monroe County	7,035.04
35	Morgan County	7,966.07
36	Ogle County	47,816.63
37	Peoria County	69,285.00
38	Piatt County	21,027.69
39	Rock Island County.....	4,650.54
40	Sangamon County	131,067.24
41	Schuyler County	14,033.49
42	Stephenson County	20,571.79
43	Tazewell County	145,468.89
44	Vermilion County	651,044.41
45	Warren County	41,142.06
46	Whiteside County	75,460.88
47	Will County	21,521.00
48	Williamson County	62,392.88
49	Winnebago County	43,594.60

Sec. 3. The money herein appropriated to be paid to the respective counties shall
 2 be used, at the option of such county, either in the payment of any county bonds issued
 3 by such county and used to improve its State Aid Roads, or in the improvement of any
 4 one or more of its improved or unimproved State Aid Roads, by constructing thereon
 5 a durable hard-surfaced road, under the direction and to the satisfaction of said Depart-
 6 ment of Public Works and Buildings.

Sec. 4. This appropriation is subject to the provisions of "An Act in Relation to
 2 State Finance," approved June 10, 1919, in force July 1, 1919.

Sec. 5. Because of an emergency this Act shall take effect upon its passage.



1 Adopted May 12, 1921.

AMENDMENT NO. 1.

Amend printed House Bill No. 766, on page 1, Section 1, lines 2 and 3, by
2 striking out the words and figures “three million seven hundred forty thousand,
3 nine hundred thirty-five dollars and eighty-six cents (\$3,740,935.86)” and substi-
4 tuting in lieu thereof the words and figures “three million, eight hundred
5 seventy-six thousand, two hundred sixty-three dollars and seventy-nine cents
6 (\$3,876,263.79).”

AMENDMENT NO. 2.

Amend printed House Bill No. 766, on page three, Section 2, by inserting
2 between lines 32 and 33 the following:
3 “Menard County.....\$51,117.01”

AMENDMENT NO. 3.

Amend printed House Bill No. 766, on page 3, Section 2, by inserting
2 between lines 41 and 42 the following:
3 “St. Clair County.....\$84,210.92”



1 Adopted May 16, 1921.

AMENDMENT NO. 4.

Amend printed House Bill No. 766, on page 1, Section 1, lines 2 and 3, by
2 striking out the words and figures, “three million, seven hundred forty thousand,
3 nine hundred thirty-five dollars, and eighty-six cents, (\$3,740,935.86)” and sub-
4 stituting in lieu thereof, the words and figures, “three million, eight hundred
5 eighty-nine thousand, three hundred eighty-two dollars and twenty-three cents,
6 (\$3,889,382.23).”

AMENDMENT NO. 5.

Amend printed House Bill No. 766, on page 2, Section 2, by inserting be-
2 tween lines 8 and 9, the following: “Clinton County, six thousand, seven hundred
3 forty-five dollars (\$6,745.00).”

AMENDMENT NO. 6.

Amend printed House Bill No. 766, on page 2, Section 2, by inserting be-
2 tween lines 26 and 27, the following: “Lawrence County, six thousand, three
3 hundred seventy-three dollars and forty-four cents (\$6,373.44).”

1 Introduced by Mr. Church, May 5, 1921.

2 Read by title, ordered printed and referred to the Committee on Appropriations.

A BILL

For an Act making an appropriation for the purchase of a site for an armory and drill ground and for the erection of an armory at Evanston, Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* The sum of seventy-five thousand dollars (\$75,000) is appro-
3 priated to the Department of Public Works and Buildings for the purchase of a site
4 for an armory and drill ground and the erection of an armory at Evanston, Illinois,
5 for the use of Company "G" of the Tank Corps of the Illinois National Guard. The
6 deed to the site shall be taken in the name of the State of Illinois and deposited in
7 the office of the Secretary of State.

Sec. 2. This appropriation is subject to the provisions of "An Act in relation
2 to State finance," approved June 10, 1919, in force July 1, 1919.



- 1 Introduced by Mr. Bentley, May 10, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Section 60 of "An Act in regard to the administration of estates," approved April 1, 1872, in force July 1, 1872, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 60 of "An Act in regard to the
3 administration of estates," approved April 1, 1872, in force July 1, 1872, as
4 amended, is amended to read as follows:

Sec. 60. Every administrator or executor shall fix upon a term of the
2 court within six months from the time of his being qualified as such admin-
3 istrator or executor, for the adjustment of all claims against such decedent,
4 and shall publish a notice thereof for three successive weeks in some public
5 newspaper published in the county, or if no newspaper is published in the
6 county, then in the nearest newspaper in this State, notifying and requesting
7 all persons having claims against such estate, to attend at said term of court
8 for the purpose of having the same adjusted, (the first publication of said no-
9 tice to be given at least six weeks previous to said term), when and where

10 such claimant shall produce his claim in writing; and if no objection is made to
11 said claim, by the executor, administrator, widow, heirs, or others interested in
12 said estate, and the claimant swears that such claim is just and unpaid, after
13 allowing all just credits, the court may allow such claim without further evi-
14 dence, but if objection is made to such claim the same shall not be allowed
15 without other sufficient evidence. The court may allow either party further
16 time to produce evidence in his favor, and the case shall be tried and deter-
17 mined as other suits at law. Either party may demand a jury of either six
18 or twelve men to try the issue, and it shall be the duty of the county clerk,
19 when a jury is demanded, to issue a *venire* to the sheriff of the county to sum-
20 mon a jury, to be composed of the number demanded.



- 1 Introduced by Mr. Bippus, May 10, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to add Section 157½ to “An Act to revise the law in relation to criminal jurisprudence,” approved March 27, 1874, in force July 1, 1874, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 157½ is added to “An Act to
3 revise the law in relation to criminal jurisprudence,” approved March 27, 1874,
4 in force July 1, 1874, as amended, the added section to read as follows:

Sec. 157½. *Any person who wilfully and lewdly exposes his or her private*
2 *parts in any public place, where others are present, is guilty of a felony and*
3 *shall be imprisoned in the penitentiary for a term of not less than three nor*
4 *more than twenty years.*

- 1 Introduced by Mr. Byers, May 10, 1921.
- 2 Read by title, ordered printed and referred to Committee on Municipalities.

A BILL

For an Act to amend Section 6 of "An Act to enable cities and villages having a population not to exceed five hundred thousand (500,000), to establish and maintain public and municipal coliseums," approved June 27, 1913, in force July 1, 1913, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 6 of "An Act to enable cities
3 and villages having a population not to exceed five hundred thousand (500,-
4 000), to establish and maintain public and municipal coliseums," approved
5 June 27, 1913, in force July 1, 1913, as amended, is amended to read as follows:

Sec. 6. Subject to the approval of the city council or board of trustees,
2 as the case may be, said board of directors of such public municipal coliseum,
3 shall for the purpose of assisting in establishing such coliseum, have the power
4 to borrow money on the public coliseum property, and to issue bonds secured
5 by mortgage or deed of trust on said property, said bonds to mature on or be-
6 fore *twenty (20)* years from the date of their issuance, and to draw interest

7 at a rate of not to exceed *six* per cent (6%) per annum, payable semi-annu-
8 ally, and to negotiate and sell bonds at not less than par and accrued interest.
9 Such bonds and all interest coupons attached thereto, may be executed by such
10 board, and the mortgage or deed of trust securing the same shall be executed
11 by the city or village, as the case may be, through its proper officers. All
12 proceeds arising from such bonds shall be paid to the city or village treasurer,
13 as the case may be, and by him deposited to the credit of the public municipi-
14 pal coliseum fund, and the same shall be used only for the establishment of
15 such public municipal coliseum. Out of the annual tax levy, said board of
16 directors shall provide a sinking fund for the retirement of all such bonds when
17 they become due.



- 1 Introduced by Mr. J. H. Francis, May 10, 1921.
- 2 Read by title, ordered printed and referred to Committee on License and
Miscellany.

A BILL

For an Act relating to motion picture films.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* A State Motion Picture Commission is
3 hereby created, to be composed of three commissioners appointed by the Gov-
4 ernor, one of whom shall be designated as chairman. Each commissioner shall
5 hold office for four years, except that when the commission is first constituted,
6 one commissioner shall be appointed for two years; one for three years, and one
7 for four years. Each commissioner shall thereafter be appointed for a full term
8 of four years, except that any person appointed to fill a vacancy shall be
9 appointed only for the unexpired term of the member whom he shall succeed.
10 The salary of the chairman of said commission shall be fixed by the Governor,
11 not to exceed three thousand dollars (\$3,000) per year, and the salary of each
12 of the commissioners shall be fixed by the Governor, not to exceed two thou-
13 sand, five hundred dollars (\$2,500) per year.

Sec. 2. The commission may appoint, subject to the approval of the Governor, advisory commissioners to advise and assist in the examination and regulation of moving picture films, who shall hold office during the pleasure of the commission and shall serve without compensation, but may be paid their necessary expenses while doing work for the commission.

Sec. 3. The commission may appoint, subject to the approval of the Governor, deputy commissioners, the compensation of each to be fixed by the Governor, who shall make due allowance for their necessary expenses incurred in the work of the commission.

Sec. 4. No person shall be appointed commissioner, advisory commissioner or deputy commissioner who, directly or indirectly, has any pecuniary interest in the exhibition of motion pictures, or in any film exchange, or corporation engaged in the furnishing or manufacturing of motion picture films, or the advertisement of the same.

Sec. 5. The Department of Public Works and Buildings shall provide suitable quarters for the accommodation of the State Motion Picture Commission created by this Act, in the city of Springfield, Illinois. The State Motion Picture Commission, however, shall have authority to open branch offices for the convenience and accommodation of the moving picture industry at any place other than Springfield it may choose, provided that the fees collected by any such branch office shall be sufficient to meet all the expenses, including salaries, incurred in the operation of such branch office.

Sec. 6. The commission shall license every film submitted to it and intended for exhibition in the State of Illinois, unless it finds that such film is obscene, indecent, immoral, sacrilegious, inhuman, that it depicts a bull fight, or a prize fight, or is of such a character that its exhibition would tend to impair the health or corrupt the morals of children or adults or incite to crime or race hatred.

6 The commission may license any film, subject to such excisions or altera-
7 tions as the commission may direct and require upon proof to the commission
8 that such changes have been made. If the commission shall not license any film
9 for any of the above reasons, it shall furnish to the applicant, a written report
10 clearly setting forth the reasons for its refusal and a description of each rejected
11 part of any film not disapproved in toto, and upon the applicant's filing in the
12 office in which application for license is filed, a statement under oath by the
13 owner or lessee of said film that the part or parts described have been eliminated
14 from the film and all copies thereof, a license shall be issued forthwith. But
15 any license obtained upon false or misleading affidavits or application shall be
16 wholly void *ab initio*. The commission may, by unanimous vote, withdraw any
17 license at any time for cause shown.

Sec. 7. The commission may issue a permit for any film portraying current
2 events, and not otherwise prohibited by law, without inspection thereof; when
3 application for such permit is made, the chairman shall designate three commis-
4 sioners, of whom a majority shall determine whether the application shall be
5 granted; any permit so granted may be revoked by the concurring vote of any
6 two commissioners upon ten days' notice in writing to the applicant. Thereupon,
7 the film may be submitted to the commission for license as though no permit
8 had ever been granted or revoked.

Sec. 8. All motion picture films of a strictly scientific character, intended
2 for use only by the learned profession, shall not be required to be presented to
3 the commission for examination and license: *Provided*, that the owner thereof,
4 either personally or by his duly authorized attorney or representative, shall file
5 with the commission a description of such film, together with a statement under
6 oath, that the said film is not to be exhibited at any private or public place of
7 amusement.

Sec. 9. The commission shall adopt an appropriate seal, which shall be
2 fixed in such manner as the commission may direct, to every film approved by

3 it. Such seal shall not be attached to any film which has been approved by the
4 commission subject to revision, until after the required changes have been made,
5 a record of which shall be kept and the portion or parts objected to shall be de-
6 livered into the possession of the commission. All official seals shall remain
7 the property of the State of Illinois and may not be taken or lent out of the
8 State of Illinois except in transit to an Illinois address, provided that no com-
9 missioner shall be liable under this Act for such prohibited transportation.

Sec. 10. When any film has been approved, the commission shall issue a
2 certificate in the form adopted by the commission. The certificate shall de-
3 scribe the film and shall bear a serial number, shall state its title, the date upon
4 which it is approved by the commission and the number of lineal feet contained
5 therein. The revocation or cancellation of any license or permit issued, shall
6 not entitle the grantee thereof to the return of any fee paid; but the amount
7 of any permit fee paid shall be credited upon the amount otherwise due for
8 any subsequent license fee for the same film.

Sec. 11. Any applicant for license shall, in case of refusal, have the right
2 of review by the full commission, whose decision shall be determined by the con-
3 curring vote of a majority thereof within five days of the filing of the application
4 for review and submission of the film. On such review, the party shall not be
5 limited to the evidence upon which the first refusal was had.

Sec. 12. Any person, firm or corporation against whom any final order is
2 made by the commission, or any person, firm or corporation whose property is
3 injuriously affected by any final order of the commission, may, within thirty days
4 from the date of such final order, appeal to the circuit court of Sangamon
5 County, or other county wherein is located a branch office of this Commission
6 for the purpose of having the reasonableness or lawfulness of the rule, regula-
7 tion, order or decision inquired into and determined.

Sec. 13. The party taking the appeal shall file a *praecipe* in the office of the clerk of the circuit court of Sangamon County, or other county wherein is located a branch office of this Commission, and summons shall thereupon be issued by the clerk and shall be served upon the chairman of the State Motion Picture Commission. Upon the filing of the *praecipe*, the appeal shall be docketed for trial not less than ten days nor more than thirty days after the filing of the *praecipe*, and shall be tried by the circuit court without formal pleadings. Upon the trial of the appeal, the film or other property in question shall be produced in evidence, and the court shall enter judgment either affirming or setting aside the order of the commission, or the court may enter judgment modifying the order of the commission. The filing of the *praecipe* shall operate as a *superseas*.

Sec. 14. If no appeal is taken from the order of the commission within the period fixed, the party against whom the order was entered, shall be deemed to have waived the right to have the reasonableness or lawfulness of the order reviewed by a court and there shall be no trial of that issue in any court in which suit may be instituted, for the penalty for failure to comply with this Act.

Sec. 15. The commission may, if it has licensed a film, issue a seal and certificate for each duplicate thereof without an examination of such duplicate, upon applicant making affidavit before one of said commissioners, *who shall have the power to administer oaths*, that said duplicate is a true copy of a film previously licensed and sealed, upon the payment of the license fee hereinafter provided, and no additional charge shall be made by said commissioners for said affidavit.

Sec. 16. No person, firm or corporation shall carry or transport any film within the State of Illinois, unless such film has been licensed by the commission and a true copy of the certificate accompanies it: *Provided*, this section shall not apply to films consigned to this commission or returned by this commission to the consignor.

Sec. 17. No motion picture film which has not been licensed by the commission and which does not bear its seal, and is not accompanied by its certificate shall be exhibited by any licensed place of amusement, or elsewhere, for pay, free will offering, or for charity, in connection with any business in the State of Illinois.

Sec. 18. A fee of two dollars (\$2.00) shall be charged by the commission for the examination of each reel of one thousand feet or less of an original film, and one dollar (\$1.00) for each additional one thousand feet or major fraction thereof; and for a film which is a duplicate of any film which has been licensed, one dollar (\$1.00) for each reel of one thousand feet or major fraction thereof, and fifty cents (50c) for each additional one thousand feet or major fraction thereof. Any change or alteration of any picture or film after it has been licensed (except the elimination of a part), shall be a violation of this Act, and shall also void the certificate and seal of such film.

Sec. 19. The penalty for the violation of this Act shall be a fine of not more than five hundred dollars (\$500.00), or imprisonment in the penitentiary for not more than one year, or both such fine and imprisonment, in the discretion of the court; and the film unlawfully changed, exhibited or transported shall be confiscated.

Sec. 20. The fees received by the commission shall be paid monthly into the treasury of the State of Illinois. The salaries of the commissioners, the deputy commissioners and other employes and the expenses of the commission shall be paid out of the treasury of the State in the same manner as other State officers and departments are paid.

Sec. 21. Six months after the commission has begun to license the use of films as provided by this Act, and at any time thereafter, the commission shall have the power to revise and fix the fees either by increase or decrease to such a sum as will produce sufficient income, but only such income as is necessary to

5 pay the entire cost of the commission, including salaries and all other expenses.
6 There is hereby appropriated out of the money in the State treasury not other-
7 wise appropriated, the sum of five thousand dollars (\$5,000) for the preliminary
8 expense of establishing, equipping and maintaining the State Motion Picture
9 Commission created by this Act.

Sec. 22. There shall be no reduction of fees, as provided in Section 21 of
2 this Act, until the State treasury shall be reimbursed for the appropriation as
3 provided in Section 21 of this Act.

Sec. 23. The power of this commission to regulate motion picture films shall
2 apply to all advertisements of such films as in the judgment of the commission,
3 the public welfare requires. The commissioners and deputy commissioners shall
4 have the power of constables throughout the State and may stop the exhibition
5 of any motion picture film which has not been licensed by this commission, or is
6 being shown contrary to State law.

Sec. 24. This commission may adopt such rules and regulations as may be
2 found necessary and in the performance of its work and in harmony with this
3 Act and not in conflict with the laws of the State of Illinois.

Sec. 25. This Act shall go into effect October 1, 1921.



- 1 Introduced by Mr. Hammond, May 10, 1921.
- 2 Read by title, ordered printed and referred to Committee on Education.

A BILL

For an Act to amend Section 115 of "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Section 115 of "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909, as amended, is amended to read as follows:

Sec. 115. The board of school directors shall be clothed with the following powers:

First—To purchase a suitable book for their records.

Second—To allow the clerk a reasonable compensation for his services, payable out of money not otherwise appropriated.

Third—To dismiss a teacher for incompetency, cruelty, negligence, immorality or other sufficient cause.

Fourth—To assign pupils to the several schools in the district; to admit non-resident pupils when it can be done without prejudice to the rights of resi-

dent pupils; to fix rates of tuition and to collect and pay the same to the township treasurer for the use of the district.

Fifth—To suspend or expel pupils guilty of gross disobedience or misconduct, and no action shall lie against them for such expulsion or suspension.

Sixth—To provide that children under twelve years of age shall not be kept in school more than four hours daily.

Seventh—To appropriate school funds for the purchase of libraries and apparatus, after the provision has been made for the payment of all necessary school expenses.

Eighth—To sell at public or private sale any personal property belonging to the school district, and not needed for school purposes.

Ninth—To grant special holidays whenever in their judgment such action is advisable, but no deduction shall be made from the time or compensation of a teacher on account of such days.

Tenth—To have the control and supervision of all public school houses in their district, and to grant the temporary use of them, when not occupied by schools, for religious meetings and Sunday schools, for evening schools and literary societies, and for other meetings as the directors may deem proper. To grant the use of assembly halls and class rooms when not otherwise needed, including light, heat and attendants, for public lectures, concerts, and other educational and social interests under such provisions and control as they may see fit to impose, and to conduct or provide for the conducting of recreational, social and civil activities in the school buildings under their control.

Eleventh—To decide when a site or building has become unnecessary, unsuitable or inconvenient for a school.

Twelfth—To borrow money, and issue bonds for the purposes and in the manner provided by this Act.

Thirteenth—To furnish each school with a flag and a staff, as provided by law.

39 Fourteenth—To establish classes having an average attendance of not fewer
40 than fifteen pupils for the instruction of crippled children over the age of six
41 and under twenty-one years.

42 Fifteenth—To establish classes for the instruction of deaf children over the
43 age of three and under twenty-one years: *Provided, however,* that no person
44 shall be employed to teach the deaf who shall not have received instruction in
45 the methods of teaching the deaf for a term of not less than one year.

46 Sixteenth—To establish kindergartens for the instruction of children be-
47 tween the ages of four and six years, if in their judgment the public interest
48 requires it, and to pay the necessary expenses of the same out of the school
49 funds of the district: *Provided,* that no one shall be employed to teach in a
50 kindergarten who does not hold a kindergarten certificate as provided by law.

51 Seventeenth—*To erect foot bridges over streams along or across public*
52 *highways, or over streams along or across private pathways (with the consent*
53 *of the owner or owners of the lands upon which the same are to be erected),*
54 *for the use of pupils in attending schools under its jurisdiction.*



- 1 Introduced by Mr. Lindstrum, May 10, 1921.
- 2 Read by title, ordered printed and referred to Committee on Municipalities.

A BILL

For an Act to amend Section 14 of Article IV of "An Act to provide for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 14 of Article IV of "An Act to
3 provide for the incorporation of cities and villages," approved April 10, 1872,
4 in force July 1, 1872, as amended, is amended to read as follows:

ARTICLE IV.

Sec. 14. If there is a failure to elect any officer herein required to be elected,
2 or the person elected, should fail to qualify, the city council or board of trustees
3 may forthwith order a new election therefor; and in all cases, when necessary
4 for the purposes of this Act, may call special elections, appoint judges and
5 clerks thereof, canvass the returns thereof, and provide by ordinance for the
6 mode of conducting the same; and shall give notice of such special elections, in
7 which shall be stated the questions to be voted upon, and cause such notices to be

8 published or posted for the same length of time and in the same manner as is
9 required in the case of regular annual elections in such cities or villages.

10 *If the city council fails or refuses to call a special election to fill a vacancy*
11 *in the city council, within sixty days after such vacancy occurs, the electors of the*
12 *ward in which the vacancy exists may petition the city clerk to call such elec-*
13 *tion. Such petition shall be signed by at least ten per cent (10%) of the quali-*
14 *fied electors in the ward. Upon the filing of such petition with the city clerk, he*
15 *shall call a special election for the purpose of filling the vacancy, and shall post*
16 *notices in the ward of the time, places of election, and of the officer to be elected,*
17 *at least twenty days prior to the election. The election shall be conducted in the*
18 *manner prescribed by law for other city elections.*



1 Adopted May 25, 1921.

AMENDMENT NO. 1.

Amend printed House Bill No. 773, section 14, by substituting a comma for
2 the period after "election" in line 18 and adding: "This provision is not to
3 apply to cities of 500,000 and over."



1 Introduced by Mr. O'Grady, May 10, 1921.

2 Read by title, ordered printed, and referred to Committee on Public Utilities and
Transportation.

A BILL

Being an Act to amend an Act entitled, "An Act to provide for the regulation of public utilities," approved June 30th, 1913, in force January 1st, 1914, as subsequently amended, by amending Section 58 thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That an Act entitled, "An Act to pro-
3 vide for the regulation of public utilities," approved June 30th, 1913, in force
4 January 1st, 1914, as subsequently amended, be, and the same is hereby amended
5 by amending Section 58 thereof, to read as inserted at length herein.

Sec. 58. No public road, highway or street shall hereafter be constructed
2 across the track of any railroad company at grade, nor shall the track of any
3 railroad company be constructed across a public road, highway or street at
4 grade, nor shall the track of any railroad company be constructed across the
5 track of any other railroad or street railroad company at grade, nor shall the
6 track of a street railroad company be constructed across the track of a railroad

7 company at grade, without having first secured the permission of the commis-
8 sion: *Provided*, that this section shall not apply to the replacement of lawfully
9 existing roads, highways and tracks. The commission shall have the right to
10 refuse its permission or to grant it upon such terms and conditions as it may
11 prescribe. The commission shall have power to determine and prescribe the
12 manner, including the particular point of crossing, and the terms of installation,
13 operation, maintenance, use and protection of each such grade crossing.

14 The commission shall also have power, after a hearing, to alter or abolish
15 any grade crossing, heretofore or hereafter established, when in its opinion the
16 public safety requires such alteration or abolition; or to require a separation of
17 grades at such crossing; or to require a separation of grades at any proposed
18 crossing where a proposed public highway may cross the tracks of any railroad
19 or railroads and to prescribe, after a hearing of the parties, the terms upon which
20 such separation shall be made and proportions in which the expense of the alter-
21 ation or abolition of such crossings or the separation of such grades shall be
22 divided between the railroad or street railroad companies affected, or between
23 such companies and the State, county, municipality or other public authority in
24 interest: *provided*, that nothing in this Act shall be construed to repeal an act in
25 relation to the crossing of one railroad by another, approved May 25, 1907, and
26 in force July 1, 1907.

27 The commission shall also have power by its order to require the reconstruc-
28 tion, alteration, relocation or improvement of any crossing (including the neces-
29 sary highway approaches thereto) of any railroad across any highway or public
30 road, whether such crossing be at grade or by overhead structure or by subway,
31 whenever the commission finds after a hearing that such reconstruction, alter-
32 ation, relocation or improvement is necessary to preserve or promote the safety
33 of the public or of the employees or passengers of such railroad. By its original
34 order or supplemental orders in such case, the commission may direct such recon-
35 struction, alteration, relocation or improvement to be made in such manner and
36 upon such terms and conditions as may be reasonable and necessary, and may

37 apportion the cost of such reconstruction, alteration, relocation or improvement
38 between the railroad company or companies and other public utilities affected,
39 or between such company or companies and other public utilities and the State,
40 county, municipality, or other public authority in interest. The cost to be so
41 apportioned shall include the cost of changes or alterations in the equipment of
42 other public utilities affected as well as the cost of the relocation, diversion or
43 establishment of any public highway, made necessary by such reconstruction,
44 alteration, relocation or improvement of said crossing.

45 Whenever the commission, after a hearing, shall find it necessary for the re-
46 construction, alteration, relocation or improvement of any such crossing or its
47 necessary approaches as aforesaid, or for the abolishment of any such crossing,
48 to relocate, divert or establish any highway or public road, or to acquire addi-
49 tional property for any such purpose, it may direct the railroad company or com-
50 panies to acquire, and the railroad company or companies shall acquire, the neces-
51 sary additional property for such purposes by purchase, or, when the price to be
52 paid cannot be agreed upon with the owner thereof, in the manner provided by
53 the law of eminent domain; or the commission may certify such finding to the
54 highway commissioners of the town or road district concerned. Every railroad
55 company operating in the State of Illinois shall construct and maintain every
56 highway grade crossing over its tracks within the State so that the roadway at
57 the intersection shall be flush with the rails, and, unless otherwise ordered by
58 the commission, shall construct and maintain the approaches thereto at a grade of
59 not more than five (5) per cent within the right of way for a distance of not less
60 than twenty-five (25) feet on each side of such tracks; *provided*, that the grades
61 at the approaches may be maintained in excess of five (5) per cent only when
62 authorized by the commission.

63 Every railroad operating within the State of Illinois shall remove from its
64 right of way at all grade crossings within the State all brush, shrubbery and
65 trees for a distance of not less than five hundred (500) feet in either direction
66 from each grade crossing.

67 On or before July 1st, 1922, every railroad operating within the State of
68 Illinois shall furnish, erect and maintain in a conspicuous place on each side of
69 every grade crossing on its line in this State, outside of the incorporated cities
70 and villages, at the most distant point possible from the tracks at every such
71 grade crossing, within the right of way of such railroads at grade crossings, at a
72 height of not more than six (6) feet above the highway level and as close as pos-
73 sible to the line of approaching highway travel, a danger signal, which shall con-
74 sist of an uncolored, ribbed, wired glass disc, not less than eighteen (18) inches
75 in diameter, with a $5\frac{3}{8}$ inch Standard Optical Railway lens contained in its
76 center. The exterior of the disc shall be made a non-transparent red, with the
77 exception of the space required for the letters, "DANGER," on the upper part
78 of the disc, and for the letters, "R. R." on the lower part of the disc, the outline
79 of each of said letters to be not less than four inches long and one-half inch wide.
80 Light shall be projected by intermittent flashes of not less than thirty (30) per
81 minute, through the transparent portions of the disc and through the lens.

82 Each railroad company which shall fail, refuse or neglect to comply with the
83 provisions of this section on or before the 1st day of July, 1922, shall be liable
84 to a fine of not less than Fifty Dollars (\$50.00) nor more than One Hundred
85 Dollars (\$100.00) for each and every day it shall so fail, refuse or neglect to
86 comply with the provisions hereof.

87 Any person who unlawfully removes, throws down, injures or defaces any
88 sign required in this section, shall be liable to a fine of not less than Ten
89 Dollars (\$10.00) nor more than Two Hundred Dollars (\$200.00) for each offense.



- 1 Introduced by Mr. Sawyer, May 10, 1921.
- 2 Read a first time, ordered printed and to a second reading, without reference.

A BILL

For an Act to amend Section 5 of "An Act to incorporate the Kankakee School District," approved and in force February 16, 1865, as amended, and to repeal certain Acts and parts of Acts herein named.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 5 of "An Act to incorporate the
3 Kankakee School District," approved and in force February 16, 1865, as amended,
4 is amended, to read as follows:

Sec. 5. The said board of education shall have the following powers, besides
2 those hereinbefore mentioned:

3 First. They shall provide common schooling for all persons residing within
4 said school district, between the ages of five years and twenty-one years, for not
5 less than eight months of each year.

6 Second. They shall have control of all school houses, school lots and school
7 property within said school district; shall have power to purchase lots for the
8 erection of school houses thereon, and erect or hire buildings for school houses,

9 and keep the same in repair, and furnish schools with necessary fixtures, furni-
10 ture, books, apparatus and libraries.

11 Third. Whenever said board of education shall be of the opinion that any
12 of the real estate belonging to said board or said district has become unnecessary,
13 unsuitable, or inconvenient, or shall, in any way, deem it proper to sell such real
14 estate, they may sell and convey the same; and all such conveyances shall be
15 signed by the president of said board, and attested by the clerk of said board,
16 for and in behalf of said board.

17 Fourth. They shall appoint all teachers of the schools of said district, fix
18 their salaries or compensation, and may dismiss such teachers at any time.

19 Fifth. They shall direct what branches of learning shall be taught, and
20 what books shall be used in said schools.

21 Sixth. They shall establish schools or departments of different grades, and
22 may, either themselves, with the aid of the principal teacher of the highest grade
23 or department of the schools of said district, or through a committee of three
24 examiners, to be appointed by said board, including said teacher, examine
25 scholars, in advancing them from grade to grade; and upon passing a sufficient
26 examination, upon completing the branches of learning directed by said board,
27 scholars shall be entitled to a certificate from said board, under the hand of said
28 president, and attested by said clerk, that such scholar has graduated at the
29 said school; and they shall make all necessary rules and regulations for the
30 admission of pupils, and the government of the schools of said district; and may
31 suspend or expel pupils guilty of refractory or incorrigible conduct, or possessed
32 of any infectious or contagious disease, and may appoint agents and servants
33 upon any matter conducive to the interests of said district.

34 Seventh. For the purpose of building a high or central school house, and
35 other school houses and additions thereto, and repairing and improving the school
36 houses of said district, and purchasing lots or real estate for such buildings, and
37 libraries and apparatus, it shall be lawful for said board to borrow money, at a
38 rate of interest not to exceed ten per cent per annum, and issue bonds therefor;

39 in sums of not less than one hundred dollars; which bonds shall be signed by the
40 said president, and attested by the said clerk, for and in behalf of said board.
41 *But the said school district shall not become indebted in any manner or for any*
42 *purpose, to an amount, including existing indebtedness, in the aggregate exceed-*
43 *ing five per centum on the value of the taxable property in the school district, to*
44 *be ascertained by the last assessment for State and county taxes, previous to*
45 *the incurring of such indebtedness. And before, or at the time of incurring any*
46 *indebtedness as aforesaid, the board shall provide for the collection of a direct*
47 *annual tax sufficient to pay the interest on such debt, as it falls due, and also to*
48 *pay and discharge the principal thereof within twenty years from the time of*
49 *contracting the same. And the said board shall, prior to the second Monday of*
50 *September, annually, estimate the amount of money necessary to be raised by a*
51 *special tax for school and building purposes in said district during the ensuing*
52 *year, and find what rate per cent this amount will require to be levied, which shall*
53 *not exceed two per cent on the assessed value of the real and personal property*
54 *in said district, and which rate shall be certified by the said president, and*
55 *attested by the said clerk, and returned to the clerk of the county court of Kan-*
56 *kakee county, on or before the second Monday of September, annually; and*
57 *which certificate may be in the following form:*

58 We hereby certify that the board of education of Kankakee School District
59 requires the rate of . . . per cent on the dollar to be levied on the taxable property
60 of said school district, for the year 19 . . . , for school purposes *and . . . per cent*
61 *for building purposes.*

62 Dated this . . . day of . . . , A. D. 19 . . . A. B., President.

63 Attest: C. D., Clerk.

64 The money thus raised shall be appropriated by the said board to the vari-
65 ous objects for which it was intended, and shall be collected in the same manner
66 as school taxes are collected under "An Act to establish and maintain a system
67 of free schools," approved *and in force June 12, 1909*, or any laws of this State
68 that may hereafter be passed for the collection of school taxes, and shall be paid
69 over by the collectors to the treasurer of said district.

Sec. 2. The following Acts and parts of Acts are repealed: “An Act to
2 amend an Act entitled, ‘An Act to incorporate the Kankakee School District;’
3 approved February 16, 1865,” approved and in force March 30, 1869; and Sec-
4 tion 1 of “An Act to amend an Act entitled, ‘An Act to incorporate the Kankakee
5 School District,’ approved February 16, 1865,” approved and in force February
6 22, 1867.



- 1 Introduced by Mr. Searcy, May 21, 1921.
- 2 Read by title, ordered printed, and referred to Committee on Public Utilities and
Transportation.

A BILL

For an Act to regulate the business of storing personal property for hire.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* After September 30, 1921, no person,
3 firm or corporation shall engage in the business of storing personal property for
4 hire without a license issued by the public utilities commission or by the State
5 commission exercising the power of supervision over public utilities. The pro-
6 visions of this Act shall not apply to warehouses licensed under "An Act to regu-
7 late cold storage of certain articles of food," in force July 1, 1917, nor to ware-
8 houses licensed under "An Act to regulate public warehouses, and the ware-
9 housing and inspection of grain, and to give effect to article thirteen of the con-
10 stitution of this State," approved April 25, 1871, in force July 1, 1871, as
11 amended.

Sec. 2. Every person, firm or corporation desiring to engage in or continue
2 in the business of storing personal property for hire shall make application for

3 a license upon blanks prepared and furnished by such commission. The appli-
4 cant shall state in his application under oath:

5 (a) The name and business address of the applicant;

6 (b) The location of warehouse or warehouses for which a license is desired;

7 (c) If the applicant is a corporation the names and addresses of the prin-
8 cipal officers and of the directors of the corporation; and

9 (d) Such other information as the commission may require to be furnished
10 in connection with such application.

Sec. 3. The commission shall examine such application and shall cause an
2 examination to be made of the warehouse or warehouses for which a license is
3 sought, and shall issue a license to such applicant if the terms of this law have
4 been complied with. The applicant shall pay a fee of twenty-five dollars per
5 annum to the commission for such license, and the license shall not continue in
6 effect unless such fee is paid. Each applicant for a license shall file with the com-
7 mission a bond with security to be approved by the commission, conditioned for
8 the observance of the provisions of this Act and the rules, regulations, orders,
9 and decisions of the commission, and for the payment of any judgment recovered
10 by any person by reason of the damage to or loss of personal property stored
11 with the applicant.

12 The commission shall adopt reasonable rules classifying persons, firms or
13 corporations licensed under the provisions of this Act, according to the number
14 of warehouses or places to be used for the storage of personal property, the
15 space to be devoted to that purpose and the character of protection afforded by
16 such warehouse; and shall fix the amount of the bond to be filed by the applicant
17 in accordance with its rules, but the bond required shall in no case be less than
18 \$5,000 nor more than \$100,000.

Sec. 4. The period for which a license is granted shall run from July 1 to
2 June 30. If application is made after the expiration of the first quarter of any
3 year, the fee to be charged for such license shall be twenty dollars; if after the

4 expiration of the second quarter the fee shall be fifteen dollars; and if after the
5 expiration of the third quarter the fee shall be ten dollars.

Sec. 5. Nothing in this Act shall be construed to prevent the delivery of
2 property stored previous to the coming into effect of this Act.

Sec. 6. In case any licensee under this Act shall violate any of the provi-
2 sions of this law or any of the rules, regulations, orders or decisions relating to
3 such warehouses, adopted by the commission, the commission shall have author-
4 ity to notify the licensee of such violation, and upon notice and hearing to revoke
5 such license or to take such other steps as may be authorized by law.

Sec. 7. The commission shall have authority to make all necessary rules and
2 regulations to carry this Act into effect. Nothing in this Act shall be construed
3 as in any way reducing the powers now conferred by law upon such commission
4 with respect to warehouses covered by this Act.

Sec. 8. Any person, firm or corporation violating any provision of this Act
2 shall be guilty of a misdemeanor, and shall upon conviction be punished by a
3 fine not exceeding \$1,000 or by imprisonment not exceeding six months, or by
4 both such fine and imprisonment.



1 Introduced by Mr. Short, May 10, 1921.

2 Read by title, ordered printed, and referred to Committee on Elections.

A BILL

For an Act to amend Section 22 of "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 22 of "An Act to establish and
3 maintain a system of free schools," approved and in force June 12, 1909, as
4 amended, is amended to read as follows:

Sec. 22. The election of trustees of schools shall be held, in townships whose
2 boundaries do not coincide with those of towns, on the second Saturday of
3 April, annually. In townships whose boundaries do coincide with those of
4 towns as established under the township organization laws, the trustee or trustees
5 shall be elected at the same time and in the same manner as town officers. In
6 townships in which no election for school trustees has heretofore been held, or in
7 townships in which from any cause there are no trustees of schools, or in case of
8 a vacancy or vacancies, the election of trustee or trustees of schools may be held
9 on any Saturday. No person shall hereafter be nominated for the office of

10 trustee of schools, in townships containing 20,000 inhabitants or over, except by
11 petition signed by at least twenty-five (25) legal voters of the school township
12 in which he is seeking nomination and election filed ten (10) days prior to such
13 election with the township treasurer, or, in case of a first election, with the
14 county clerk. The township treasurer shall, in townships containing 20,000
15 inhabitants or over furnish all ballots to be used at the election for trustees, and
16 the name of no candidate shall be printed on such ballots except a petition shall
17 be filed in his behalf as herein provided. *But if such township lies wholly or*
18 *partly within the limits of a city, town, or village having a Board of Election*
19 *Commissioners which is directed by law to take charge of and make provisions*
20 *for elections held in such city, town, or village, or any part thereof, the township*
21 *treasurer shall certify the nominations of school trustees to such Board of Elec-*
22 *tion Commissioners, not less than eight days prior to the date of such election and*
23 *the Board of Election Commissioners shall furnish the ballots necessary for the*
24 *election in that territory over which it has jurisdiction.*

- 1 Introduced by Mr. Smejkal, May 10, 1921.
- 2 Read by title, ordered printed, and referred to Committee on Appropriations.

A BILL

For an Act entitled, “An Act to make appropriation for certain claims against the State of Illinois, in conformity with awards made by the Court of Claims, to certain persons, firms, corporations and copartnerships named therein.”

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* That there be and is hereby appropriated

3 the sum of Twenty-two Thousand, Two Hundred and Two Dollars and Thirty-

4 seven Cents (\$22,202.37) to pay claims in conformity with awards made by the

5 court of claims at its September Term, A. D. 1920, to the following persons,

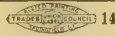
6 firms, corporations and copartnerships:

7 Sheriff of Johnson County, Illinois.....	\$ 25.75
8 Sheriff of Clinton County, Illinois.....	67.00
9 William Schwinn.....	100.62
10 Wells-Fargo Express Company.....	33.00
11 American Express Company.....	9.72
12 Salamandra Insurance Company.....	433.86
13 Second Russian Insurance Company.....	216.93

14	Wales Adding Machine Company.....	3.00
15	Maurer Ice Company.....	57.25
16	Gravel Springs Company.....	15.00
17	P. H. Harbeck.....	788.00
18	Dr. T. H. Culhane.....	114.65
19	Omaha Flour Mills.....	25.00
20	H. Edgar King.....	6.00
21	C. Strassheim.....	292.20
22	John Klopmeier.....	100.00
23	Western Gas & Electric Company.....	959.22
24	Armour and Company.....	14.58
25	M. C. Lenander.....	43.75
26	Gunther Hardware Company.....	21.75
27	McNeil & Higgins Company.....	428.40
28	Chicago, Wilmington & Franklin Coal Co.....	82.08
29	Ed. O'Brien.....	50.00
30	Max A. Lehman.....	3,845.00
31	Illinois Meat Company.....	425.00
32	Edward R. Ladew, Inc.....	293.00
33	Fred R. Johnson.....	40.00
34	Urbana & Champaign Ry., Gas & Electric Co.....	188.70
35	C. D. Roberts & Company.....	64.75
36	The Thomas Lyons Company.....	51.30
37	J. J. Wuellner & Son.....	356.40
38	Lewis F. Morgan, Admr.....	250.00
39	Booth's Union Market.....	7.70
40	Neptune Meter Company.....	72.00
41	Esther McCabe.....	200.00
42	George Scott.....	200.00
43	Illinois State Journal Company.....	1,312.99

44	Springfield, Illinois, Water Department.....	114.00
45	Byrum & Cope.....	195.00
46	Fire Reassurance Company of New York.....	1,969.23
47	Paul MacGuffin and Ralph L. Peck, services in collecting omitted and	
48	delinquent taxes due the State.....	1,633.50
49	Oscar G. Foreman, Exr., refund of Inheritance Taxes.....	3,868.41
50	Buckingham Chandler, Exr., refund of Inheritance Taxes.....	1,229.75
51	William M. Deffenbaugh and Roy R. Deffenbaugh, Partners.....	2,000.00
52	Total.....	<u>\$ 22,202.37</u>

Sec. 2. The Auditor of Public Accounts is hereby authorized and directed
2 to draw his warrants on the State treasury for the aforesaid sums of money,
3 payable to the respective parties indicated in Section 1, of this Act,, and the
4 State Treasurer is hereby authorized and directed to pay the same, out of any
5 money in the State treasury not otherwise appropriated.



1 Adopted May 24, 1921.

AMENDMENT NO. 1.

Amend printed House Bill No. 778, by striking out from the title thereof,
2 the words "an Act entitled," and also striking out the quotation marks in
3 said title.

AMENDMENT NO. 2.

Amend printed House Bill No. 778, on page 1, section 1, lines 3 and 4,
2 by striking out the printed words, "Twenty-Two Thousand Two Hundred and
3 Two Dollars and Thirty-Seven Cents" and by striking out the figures,
4 "22,202.37," and inserting in lieu thereof, the words: "Twenty Thousand Four
5 Hundred Seventy-One Dollars and Eighty-Three Cents," and in lieu of said
6 figures insert the figures: "\$20,471.83."

AMENDMENT NO. 3.

Amend printed House Bill No. 778, on page 3, section 1, line 51, by strik-
2 ing out the words, "William M. Deffenbaugh and Roy R. Deffenbaugh, Part-
3 ners," and by striking out the figures "\$2000.00" and by inserting in lieu
4 thereof the following: "Fester & Folsom, Inc., refund of insurance net pre-
5 mium privilege tax, 267.34."

AMENDMENT NO. 4.

Amend printed House Bill No. 778, on page 3, section 1, line 52, by strik-
2 ing out the figures, "\$20,202.37" after the word "total" and insert in lieu
3 thereof the figures "\$22,471.83."



- 1 Introduced by Mr. Smejkal, May 10, 1921.
- 2 Read by title, ordered printed, and referred to Committee on Appropriations.

RELIEF—COURT OF CLAIMS.

A BILL

For an Act entitled “An Act to make appropriations for certain claims against the State of Illinois in conformity with recommendations and awards made by the Court of Claims to certain persons, firms, corporations and co-partnerships named therein.”

SECTION 1. *Be it enacted by the People of the State of Illinois,*
represented in the General Assembly: That there be and is hereby appropriated
the sum of \$196,722.73 to pay claims in conformity with awards and recom-
mendations made by the Court of Claims at its September term, 1919 and 1920
to the following named persons, firms, corporations and co-partnerships.

To the Standard Oil Company, an Indiana corporation, for gasoline furnished the Illinois State Grain Department	\$ 50.00
To the Central Union Telephone Company, on account of telephone services to the Secretary of State, the Puublic Utility Commis- sion and the Forty-ninth General Assembly of the State of Illi- nois	1,851.22

12	To The Standard Oil Company, an Indiana corporation, for gasoline	
13	furnished State Fish and Game Comsission	658.72
14	To Clara D. Flynn and her daughter, Blanche E. Flynn, on account	
15	of the death of her husband, Thomas H. Flynn, who was a drum	
16	major in the Sixth Illinois Infantry of the Illinois National	
17	Guard, and who came to his death by reason of the failure of the	
18	State of Illinois to provide a reasonably healthful place for the	
19	said Thomas H. Flynn and other members of said Infantry to	
20	sleep, thereby resulting in the illness and death of claimant....	3,500.00
21	To Henry Felix Carver, on account of personal injuries received	
22	while in the performance of his duty as a guard at the Illinois	
23	State Penitentiary at Joliet, Illinois, by being maimed, bruised	
24	and cut by convicts of said Penitentiary	1,000.00
25	To the Chicago Telephone Company, on account of telephone ser-	
26	vices furnished to the office of the Attorney General in Chicago.	899.72
27	To R. M. Good, on account of personal injuries received while oper-	
28	ating a trench machine while being used and operated by State	
29	agents in the construction of certain improvements at Lock-	
30	port, Illinois	264.37
31	To J. J. Randall, on account of personal injuries received to his fore-	
32	arm while engaged in work for the State at the Lincoln School	
33	and Colony, Lincoln, Illinois.....	800.00
34	To Clifton F. Cramer, for back pay on account of services rendered	
35	by him to the State of Illinois in the capacity of Deputy Game and	
36	Fish Warden	133.10
37	Devlin & Roberts, co-partners, on account of services rendered the	
38	State of Illinois as reporters in reporting the proceedings of cer-	
39	tain special legislative committees.....	1,555.25
40	To L. F. Brown, on account of services rendered the State of Illinois	
41	as veterinary surgeon from February 1, 1917, to May 31, 1917..	1,030.00

42	To The American National Bank, Lincoln, Illinois, on account of	
43	State warrant honored and paid by claimant to E. C. Perkins, and	
44	on which claimant was refused payment on presentation to the	
45	State Treasurer.....	500.00
46	To A. G. Spaulding & Brothers, a corporation, on account of money	
47	due claimants for athletic goods purchased by the Southern Illi-	
48	nois Normal School	19.99
49	To The Austin Manufacturing Company, on account of the purchase	
50	price to claimants for furnishing additional equipments, parts	
51	and accessories for the Illinois State Penitentiary at Joliet, Illi-	
52	nois	2,816.67
53	To Mary Bell Krueger, on account of salary, expenses and injury	
54	sustained by claimant resulting from assault made on her by an	
55	inmate and student at the State School for the Deaf at Jackson-	
56	ville, Illinois	1,234.35
57	To Myrtle Ralston, on account of services rendered by her in the last	
58	illnises of Robert B. Ralston, a former member of the Illinois Na-	
59	tional Guard	425.00
60	To The People's Fire Insurance Company, on account of office rent	
61	due claimant from the Illinois State Fish and Game Commission	
62	and other State departments, for space and office rooms in the	
63	claimant's office building, Chicago, Illinois	2,781.18
64	To Walter D. Hines, Director General operating the Peoria & Pekin	
65	Railroad Company, on account of demurrage to said company	
66	from the State.....	1,498.65
67	To James E. Johnson, on account of personal injuries sustained by	
68	him while working as an employee of the State in the basement	
69	of the State Capitol at Springfield, Illinois, said injuries result-	
70	ing from carelessness of a fellow servant while handling boxes	
71	and freight belonging to the State.....	2,000.00

72	To The Southern Surety Company of the payment and collection of	
73	illegal insurance taxes by claimant to the Secretary of State.....	1,240.54
74	To S. A. Rathbun, on account of a balance of account due claimant	
75	from the State for merchandise furnished to the Illinois State	
76	Reformatory at Pontiac, Illinois.....	213.94
77	To the legal representative of the estate of Ernest W. Gropp, on ac-	
78	count of the death of decedent while acting in line of duty as a	
79	member of the Illinois National Guard during the Chicago race	
80	riots	2,500.00
81	To Frank Klebosky, on account of personal and permanent injuries	
82	sustained by him while in the line of duty as a member of Com-	
83	pany "B," Second Infantry, Illinois National Guard, said in-	
84	juries consisting of a hernia resulting from being detrained under	
85	heavy pack at a place where there was no station platform.....	3,000.00
86	To the County of LaSalle, on account of damage caused to claim-	
87	ant's crops and farm land by an overflow, resulting from a break	
88	in the banks of the Illinois-Michigan Canal	1,938.00
89	To the Elgin, Joliet & Eastern Railway Company, on account of de-	
90	murrage charges due claimant from the State of Illinois.....	589.00
91	To Robert M. Paden, on account of personal injuries sustained by	
92	him while acting in the line of duty as guard at the Joliet Peni-	
93	tentiary, said injuries resulting from an assault made upon	
94	claimant by a convict in said penitentiary, whereby claimant was	
95	cut, bruised and maimed.....	2,000.00
96	To Walter D. Hines, Director General of the Chicago & Alton Rail-	
97	road Company, on account of freight charges due claimant from	
98	the State of Illinois in the consignment of coal	99.84
99	To the legal representative of the estate of Joseph E. Woodruff, on	
100	account of the illness and death of the said Joseph E. Woodruff,	
101	said illness being contracted by decedent while in the line of duty	

102	as a member of Company "B," Ninth Infantry, Illinois Na-	
103	tional Guard	1,750.00
104	To John H. Cordes, on account of personal injuries sustained by him	
105	while acting in the line of duty as a guard at the Joliet State	
106	Penitentiary, Joliet, Illinois, said injuries to claimant resulting	
107	from an assault made on him by a convict in said penitentiary.	1,500.00
108	To Wilson & Company, for a balance due claimant from the State on	
109	account of provisions furnished the Chicago State Hospital at	
110	Dunning, Illinois	1,028.16
111	To the legal representative of the estate of Timothy Driscoll, de-	
112	ceased, on account of the illness and death of decedent, said ill-	
113	ness being contracted by decedent, and resulting from the nature	
114	of the work while working in the line of duty as an employe of	
115	the State at the Chicago State Hospital	2,000.00
116	To Minnie McGee, on account of personal injuries received by her,	
117	resulting in the loss of her right arm at the shoulder, said arm	
118	being shot off intentionally by a member of the Illinois Na-	
119	tional Guard, while on duty at East St. Louis, at the time of the	
120	riots	2,500.00
121	To Illinois Central Railroad Company, on account of the State's por-	
122	tion of the cost and expense resulting from a separation of the	
123	grade crossings and as fixed and determined by the State Pub-	
124	lic Utilities Commission, and on account of certain freight	
125	charges due claimant from the State	4,552.55
126	To Esley Cantrall, on account of personal injuries sustained by	
127	claimant while in the line of duty as a member of Company "E,"	
128	Ninth Regiment, Illinois Reserve Militia, said injuries consist-	
129	ing of a rupture resulting from a fall while lifting a tent floor	
130	on wet, slippery ground in the performance of his duties.....	1,500.00

131	To Morna Kruger, widow of Charles A. Kruger, deceased, on ac-	
132	count of the death of decedent while acting in the line of duty as	
133	a guard at the Illinois State Reformatory at Pontiac, Illinois,	
134	while trying to control and quell an insurrection started by the in-	
135	mates of said institution, when decedent was shot and killed by	
136	a convict	5,000.00
137	To Missouri-Pacific Railroad Company, on account of the payment	
138	into the State Treasury of certain illegal fees and charges made	
139	against claimant by order of the State Public Utilities Commis-	
140	sion	6,200.00
141	To Carl Hancock, on account of personal and permanent injuries sus-	
142	tained by him while acting in the line of duty as a guard at the	
143	Illinois State Reformatory, Pontiac, Illinois. While attempting	
144	to quell a riot started by the inmates of said reformatory, claim-	
145	ant was shot in the head by a convict, which gunshot wound re-	
146	sulted in the permanent injury of claimant's mind and nervous	
147	system	5,000.00
148	To John Hancock, on account of personal and permanent injuries	
149	sustained by him while acting in the line of duty as a guard at the	
150	Illinois State Reformatory, Pontiac, Illinois. While attempting	
151	to quell a riot started by the inmates of said reformatory claim-	
152	ant was shot by a convict and sustained permanent injury.....	1,500.00
153	To J. J. Quinn, on account of personal and permanent injuries sus-	
154	tained by him while acting in the line of duty as a guard at the	
155	Illinois State Reformatory, Pontiac, Illinois. While claimant	
156	was in the performance of his duty, he was assaulted by a num-	
157	ber of convicts and severely beaten over the head with clubs,	
158	which resulted in a partial paralysis and a permanent injury to	
159	his nervous system	4,000.00

160	To Ausugsta Schutte, on account of personal and permanent injuries	
161	sustained by her while in the performance of her duty as a nurse	
162	at the Chicago State Hospital. While in the performance of	
163	such duties she was assaulted by an insane inmate and choked,	
164	bruised and maimed, which resulted in a partial paralysis of her	
165	body and permanent injury to her nervous system.....	2,500.00
166	To the legal representative of the estate of Samuel H. Bailey, de-	
167	ceased, on account of his death while an inmate of the State Hos-	
168	pital for the Insane at Bartonville. While an inmate of said in-	
169	stitution, decedent was choked to death by another inmate of the	
170	institution	2,000.00
171	To Jerusha Foster, on account of personal injuries sustained by	
172	her while in the line of duty as a nurse in the State Hospital for	
173	the Insane at Elgin, Illinois. While trying to quell a disturbance	
174	created by inmates of the institution, claimant slipped and fell,	
175	which resulted in a fracture, and the crushing of the hip joint, a	
176	serious, permanent injury, leaving one limb one or two inches	
177	shorter than the other.....	2,500.00
178	To Thomas I. Motter and West Suburban Hospital for use of F. W.	
179	Winkler, Game and Fish Warden, on account of medical expense	
180	incurred by said F. W. Winkler on account of an accidental injury	
181	sustained by the said Thomas I. Motter on account of collision be-	
182	tween the Game Warden's automobile and a street car.....	297.22
183	To J. J. England, for the use of August S. Herman, on account of	
184	money due for repairs by claimant to the roof of the armory	
185	building, Springfield, Illinois.....	425.00
186	To the legal representative of the estate of R. E. Coughenour, on ac-	
187	count of decedent's death, while in the line of duty as a guard at	
188	the Joliet State Penitentiary, Joliet, Illinois, while being trans-	
189	ferred on a defective truck, being driven by a State Agent from	

190	the old to the new Penitentiary at Joliet. While nearing the top	
191	of a hill, said truck, as a result of defective machinery, failed to	
192	operate and work properly, and while running down hill back-	
193	wards, upset and killed claimant.....	5,000.00
194	To Hugh Abney, on account of personal injuries sustained by him	
195	while in the line of duty as an attendant and employe at the Sol-	
196	diers' and Sailors' Home, Quincy, Illinois. While fumigating	
197	rooms at said Home, claimant was compelled to use an old, de-	
198	fective and worn out spray, and while using said defective spray	
199	with a poison liquid, his face and eye were sprayed and filled with	
200	liquid, thereby causing the loss of one eye and the sight of the	
201	other eye seriously impaired.....	2,131.00
202	To the legal representative of the estate of Rose Tosi, on account of	
203	the death of the said Rose Tosi, which death was the result of an	
204	operation performed on decedent by attending physicians and	
205	surgeons at the School for the Deaf at Jacksonville, Illinois.....	1,500.00
206	To Bruce L. Little, on account of personal injuries sustained by him	
207	while in the line of duty as a guard at the Joliet State Peniten-	
208	tiary, Joliet, Illinois, said claimant was assaulted and seriously	
209	bruised, maimed and cut about the head and face by a convict, at	
210	said Penitentiary	1,000.00
211	To the legal representatives of the estate of James O. McMurray, de-	
212	ceased. Decedent, while in the line of his duty as a guard at the	
213	Joliet State Penitentiary, Joliet, Illinois, was assaulted and killed	
214	by a convict in said penitentiary.....	5,000.00
215	To William Haywood, on account of personal injuries sustained by	
216	him while in the line of duty as a guard at the Joliet State Peni-	
217	teniary at Joliet, Illinois. Claimant was assaulted and badly	
218	maimed, bruised and cut about the head and face by a convict in	
219	said penitentiary	1,000.00

220	To William L. Petty, Jr., on account of personal injuries sustained by	
221	claimant while in the line of duty as a guard at the Joliet State	
222	Penitentiary, Joliet, Illinois. Claimant was assaulted, bruised,	
223	maimed and cut about the head and face by a convict in said peni-	
224	tentiary	1,000.00
225	To Fowler I. Cochran, on account of personal injuries sustained by	
226	claimant while in the line of duty as a guard at the Joliet State	
227	Penitentiary, Joliet, Illinois, claimant was assaulted and bruised,	
228	maimed and cut about the head and face by a convict in said	
229	penitentiary	1,500.00
230	To Jacob Kuebler, on account of the death of his son, who came to his	
231	death as a result of standing near the muzzle of a field piece when	
232	it was carelessly discharged by members of the Illinois National	
233	Guard, while in camp at Camp Lincoln, Springfield, Illinois....	1,500.00
234	To County of Will, on account of fees, costs and expenses growing	
235	out of the prosecution in said county of Edward King, on a	
236	charge of murder. At the time of said alleged murder, the said	
237	Edward King was a convict in the Joliet State Penitentiary,	
238	Joliet, Illinois	272.80
239	To Shaw & Bjorkeman, money due claimants from the State on ac-	
240	count of cost of printing notices required by law in the dissolu-	
241	tion of corporations	63.00
242	To Times Record Company, money due claimants from the State on	
243	account of cost of printing notices required by law in the disso-	
244	lution of corporations.	73.50
245	To the legal representatives of the estate of Bert Lindsay, on account	
246	of personal injuries received by him and resulting in his death	
247	while at work in the line of duty as a State employe at the	
248	power plant of the Northern Illinois State Normal School at De-	
249	Kalb, Illinois. While engaged in filling the boilers and while	

250	using defective machinery, decedent was thrown and fell through	
251	a trap door enclosing machinery used for carrying ashes and	
252	cinders from under the boiler, was caught in the machinery and	
253	crushed to death	3,000.00
254	To Hiram E. Gibson, on account of personal injuries received by him	
255	while acting in the line of duty as a guard at the new peniten-	
256	tiary at Joliet, Illinois. Claimant was making an effort to cap-	
257	ture an escaped convict and at the time it was dark, and claim-	
258	ant fell into an excavation on the penitentiary grounds, which	
259	excavation was unprotected at the time, and sustained severe	
260	bodily injuries	1,000.00
261	To Mary Heater, on account of a nervous breakdown sustained by	
262	her while in the performance of her duty as a stenographer and	
263	bookkeeper in the employ of the State University at Urbana, Illi-	
264	nois. Claimant was required to work in a room kept so hot be-	
265	cause of heat pipes running through under the floor of the	
266	room, that she sustained a heat stroke, which resulted in the com-	
267	plete and permanent nervous breakdown of claimant.....	2,500.00
268	To C. A. Goodyear Lumber Company, on account of illegal payment	
269	of franchise tax to the Secretary of State	1,396.83
270	To the legally appointed guardian of John Kapella, a minor, on ac-	
271	count of personal injuries received by said minor while engaged	
272	in performing certain work, under the direction of State agents	
273	at the St. Charles School for Boys, St. Charles, Illinois. Said	
274	minor, at the direction of State representatives, was engaged in	
275	removing a brick foundation under an old boiler and while under	
276	the same the boiler fell, crushing the boy to such an extent that	
277	he is now a physical and mental wreck for life	3,000.00
278	To William T. Riggs, on account of personal injuries received by	
279	him while acting in the line of duty as a member of Company	

280	“C,” First Infantry, Illinois Reserve Militia. While on duty	
281	as a member of said company and during the Chicago race riots,	
282	claimant was assaulted by a rioter and shot in the hip, which gun-	
283	shot wound resulted in a permanent injury to claimant.....	3,000.00
284	To Charles K. Williams, on account of personal injuries received by	
285	him while acting in the line of duty as a member of Company	
286	“C,” First Infantry, Illinois Reserve Militia. While on duty	
287	as a member of said company, and during the Chicago race riots,	
288	claimant was assaulted by a rioter and shot in the back, which	
289	gunshot wound resulted in a permanent injury to claimant....	3,5000.00
290	To The Browning Company, an Ohio corporation, on account of	
291	illegal payment of franchise tax to the Secretary of State....	960.00
292	To James Sidney McCullough, on account of inheritance tax col-	
293	lected erroneously and paid into the State treasury in re Estate	
294	of Myrtle Reed McCullough, deceased	1,943.55
295	Interest	512.77
296		<hr/> \$ 2,456.32
297	To William Jenkins and Frank L. Selleck, trustees under the last	
298	will and testament of William Riley Selleck, deceased, on ac-	
299	count of inheritance tax collected erroneously and paid into the	
300	State treasury	856.19
301	Interest	133.56
302		<hr/> \$ 989.75
303	To Hugo F. Arnold, trustees under the last will or Adolph Arnold, de-	
304	ceased, on account of inheritance tax collected erroneously and	
305	paid into the State Treasury.....	1,180.61
306	Interest	298.11
307		<hr/> \$ 1,478.72

308	To Charles A. Funk and Deane N. Funk, executors of the last will and	
309	testament of Jacob Funk, deceased, on account of inheritance	
310	tax collected erroneously and paid into the State Treasury.....	1,487.74
311	Interest	58.89
312		<hr/> \$ 1,546.63
313	To the following devisees under the will of Orvin L. Fox, deceased, on	
314	account of inheritance tax collected erroneously and paid into	
315	the State treasury, in the following amounts:	
316	Jesse Eugene Fox	855.05
317	Interest	99.19
318		<hr/> \$ 954.24
319	Orinda Daniels Fox, trustees for Margaret Ancella Fox.....	448.86
320	Interest	52.03
321		<hr/> \$ 500.83
322	Orinda Daniels Fox, trustee for Dorothy Elizabeth Fox.....	\$ 448.86
323	Interest	52.03
324		<hr/> \$ 500.83
325	Hubert Orvin Fox, Jr.....	299.20
326	Interest	34.71
327		<hr/> \$ 333.91
328		<hr/> \$ 2,289.81
329	To Ella H. Davis, David Davis and Mercer Davis, executors of the	
330	will of George Perrin Davis, deceased, on account of inherit-	
331	ance tax erroneously collected and paid into the State treasury..	\$ 879.86
332	To James H. Tibbets, trustee under the will of Nathaniel W. Tibbets,	
333	deceased, on account of the inheritance tax erroneously collected	
334	and paid into the State treasury.....	323.47
335	To Alfred E. Spink, administrator of the estate of John Borden, de-	
336	ceased, on account of inheritance tax erroneously collected and	
337	paid into the State treasury.....	3,328.05

338	To Edward J. King and Howard Knowles, executors of the last will	
339	and testament of Norman Anthony, deceased, on account of in-	
340	heritance tax erroneously collected and paid into the State	
341	treasury	721.91
342	To E. Vincent Gale and G. Whittier Gale, executors of the last will	
343	and testament of Walter H. Gale, deceased, on account of in-	
344	heritance tax erroneously collected and paid into the State treas-	
345	ury	877.81
346	To Clarence A. Burley, trustees under the last will and testament of	
347	Elizabeth J. Whitney, deceased, on account of inheritance tax	
348	erroneously collected and paid into the State treasury.....	44.75
349	To George W. Dixon, executor of the last will and testament of Arthur	
350	Dixon, deceased, on account of inheritance tax erroneously col-	
351	lected and paid into the State treasury	5,841.01
352	To The Wapello County Savings Bank and Sue P. Hackworth, ex-	
353	ecutors of the last will and testament of J. T. Hackworth, de-	
354	ceased, on account of inheritance tax erroneously collected and	
355	paid into the State treasury.....	10,508.37
356	To Charlotte T. P. Ullman, executrix and sole devisee under the will	
357	of W. B. Ullman, deceased, on account of inheritance tax erron-	
358	ously collected and paid into the State treasury.....	191.96
359	To Ralph D. Hollembeak and Charles R. Hopson, executors of the	
360	will of Allen M. Retan, deceased, on account of inheritance tax	
361	erroneously collected and paid into the State treasury.....	644.39
362	To Howard Tarman, executor of the last will and testament of Wil-	
363	liam McKinley, deceased, on account of inheritance tax erron-	
364	ously collected and paid into the State treasury.....	296.71
365	To Addie Reese and Edmund Hays, executrix and executor of the	
366	last will and testament of Granville Reese, deceased, on account	
367	of inheritance tax erroneously collected and paid into the State	
368	treasury	1,219.11

369	To Thomas R. Seelye, executor of the last will and testament of T.	
370	Alphonso Seelye, deceased on account of inheritance tax errone-	
371	ously collected and paid into the State treasury.....	20.98
372	To Philip C. Lindgren, administrator, C. T. A. of the estate of John	
373	K. Stewart, deceased, on account of inheritance tax erroneously	
374	collected and paid into the State treasury	43,434.39
375	To Arthur R. Evans, executor of the last will and testament of Henry	
376	H. Evans, deceased, on account of inheritance tax erroneously	
377	collected and paid into the State treasury	2,379.13
378	Total	<u>\$196,722.73</u>

Sec. 2. The Auditor of Public Accounts is hereby authorized and directed
 2 to draw his warrants on the State Treasury for the aforesaid sums of money,
 3 payable to the respective parties for the several sums indicated in Section 1
 4 of this Act, and the State Treasurer is hereby authorized and directed to pay
 5 the same out of any money in the State Treasury not otherwise appropriated.

Approvedday of....., 1921.

2



1 Adopted May 24, 1921.

AMENDMENT NO. 1.

Amend printed House Bill No. 779, by striking from the title thereof the
 2 words "an Act entitled," and also striking out the quotation marks from said
 3 title.

AMENDMENT NO. 2.

Amend printed House Bill No. 779, by striking out the figures "\$196,-
 2 722.73" in line 3, page 1, and by inserting in lieu thereof the figures
 3 "\$197,469.09."

AMENDMENT NO. 3.

Amend printed House Bill No. 779, by striking out the word "Fire" in
 2 line 60 on page 3 thereof, and inserting in lieu thereof the word "Life."

AMENDMENT NO. 4.

Amend printed House Bill No. 779, by striking out the figures "1498.65..
 2 in line 66 on page 3 thereof, and inserting in lieu thereof the figures "1455.00."

AMENDMENT NO. 5.

Amend printed House Bill No. 779, by inserting immediately following the
 2 figures 4,552.55 in line 125 on page 5 thereof, the words and figures following:

3	Interest	365.32
4		
5		<u>4917.87</u>

6 in such a manner that said figures will be immediately below said figures
 7 4,552.55 in said line 125.

AMENDMENT NO. 6.

Amend printed House Bill No. 779, by inserting immediately following the
 2 figures 6,200.00 in line 140, on page 6, the following words and figures:

3	Interest	424.69
4		<hr/>
5		6624.69

6 in such a manner that said figures will be immediately below the said figures
 7 6,200.00 in said line 140.

AMENDMENT NO. 7.

Amend printed House Bill No. 779, by striking out the figures “35,000.00”
 2 in line 289 on page 11, thereof, and by inserting in lieu thereof the figures
 3 3,500.00 to correspond with the said House Bill 779 as originally introduced.

AMENDMENT NO. 8.

Amend printed House Bill No. 779, by striking out the figures “\$196,-
 2 722.73” in line 378 on page 14, thereof, and by inserting in lieu thereof the
 3 figures, \$197,469.09.



- 1 Offered by Committee on Appropriations.
- 2 Ordered printed.

AMENDMENT NO. 1.

Amend printed House Bill No. 779 in Senate by striking out in line 3 the
2 character and figures "\$196,722.73" and insert in lieu thereof the character
3 and figures following: "\$205,502.22."

AMENDMENT NO. 2.

Amend printed House Bill No. 779 in Senate by inserting between lines 377
2 and 378 the following:
3 "To Frank Fitzsimmons doing business under the firm name of Fitzsim-
4 mons Construction Company on account of damages sustained in the perform-
5 ance of contract with the State of Illinois to furnish the materials and perform
6 certain work in pursuance of an Act for the appropriation for the repair and
7 re-arrangement of the interior of the Capitol Building, approved June 28, 1915,
8 in force July 1, 1915, \$8,779.49."

AMENDMENT NO. 3.

Amend printed House Bill No. 779 in Senate, by striking out after the word
2 "total" in line 378, the character and figures "\$196,722.73", and insert in lieu
3 thereof the character and figures following: "\$205,502.22".



- 1 Introduced by Mr. Steele (By Request), May 10, 1921.
- 2 Read by title, ordered printed, and referred to Committee on Appropriations.

A BILL

For an Act to provide for the award of lapel buttons in recognition of State military service.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Bronze lapel buttons, with a suitable
3 device, shall be awarded to commissioned officers, non-commissioned officers and
4 privates, who served honorably in the State military service during the war
5 between the United States and the Imperial German Government, but who were
6 not mustered into Federal service.

Sec. 2. The lapel buttons provided for in this Act shall be of one design,
2 selected and approved by the Adjutant General.

Sec. 3. It shall be the duty of the Adjutant General to prepare a list of the
2 names and addresses of all persons entitled to the recognition provided for in
3 this Act, and to award lapel buttons to all such persons.

Sec. 4. The Adjutant General shall have power to make reasonable rules
2 and regulations for the proper administration of the provisions of this Act.

Sec. 5. The sum of three thousand dollars (\$3,000) is appropriated to the
2 Adjutant General to carry out the objects and purposes of this Act.

Sec. 6. This appropriation is subject to the provisions of "An Act in rela-
2 tion to State finance," approved June 10, 1919, in force July 1, 1919.



1 Introduced by Mr. S. B. Turner, May 10, 1921.

2 Read by title, ordered printed, and referred to Committee on License and Mis-
cellany.

A BILL

For an Act to provide for the inspection of tobacco for use in this State.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* The Governor shall appoint a Commis-
3 sioner of Tobacco Inspection, whose term of office shall be four years, and whose
4 salary shall be four thousand dollars per year.

Sec. 2. The office of the Commissioner of Tobacco Inspection, shall be in
2 Chicago. Branch offices in charge of deputy inspectors shall be established by
3 the commissioner in other cities of this State, as the volume of business
4 demands.

Sec. 3. The Commissioner shall have the following powers and duties:

2 (1) He shall inspect, or cause to be inspected, all tobacco manufactured
3 or offered for sale in this State, which is in leaf or bale.

4 (2) He shall affix a label to all tobacco containers or bales, whose contents

5 have been inspected and found satisfactory stating that the tobacco has been
6 inspected and passed.

7 (3) He shall appoint such deputy inspectors as may be necessary to carry
8 out the purposes of this Act, and fix their salaries, not to exceed \$2,500 per year.

9 (4) He shall make such reasonable rules and regulations for the inspection
10 of tobacco as he may find expedient, and which are not inconsistent with the pro-
11 visions of this Act.

12 (5) He shall make an annual report, or oftener if demanded, to the
13 governor, of his actions, and the receipts and expenditures of his office.

Sec. 4. For each bale of tobacco inspected, the Commissioner shall charge
2 a fee of 25 cents. Money so realized shall be paid into the State treasury, and
3 the State Treasurer shall give his receipt therefor.

Sec. 5. It shall be unlawful to sell in this State, for consumption herein, any
2 tobacco which has not been inspected and passed by the commissioner or his
3 deputies. Any person found guilty of violating this provision shall be punished
4 by a fine of not less than \$50 nor more than \$200 for each offense.

Sec. 6. The Secretary of State shall provide offices for the Commissioner
2 and his deputies, and the Department of Public Works and Buildings shall
3 furnish such printing, stationery and supplies as may be necessary.

Sec. 7. The sum of \$10,000 is appropriated to establish the Commissioner
2 and his offices, and to pay his salary and the salaries of his necessary assistants.

Sec. 8. This appropriation is subject to the provisions of "An Act in rela-
2 tion to State finance," approved June 10, 1919, in force July 1, 1919.



- 1 Introduced by Mr. Weinshenker, May 10, 1921.
- 2 Read by title, ordered printed, and referred to Committee on Appropriations.

A BILL

For an Act making an appropriation to provide additional compensation for delegates to the constitutional convention.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* The sum of two hundred four thousand
3 dollars (\$204,000.00), or so much thereof as may be necessary, is appropriated
4 to provide two thousand dollars (\$2,000.00) additional compensation for each
5 delegate to the constitutional convention, payable at any time after September 1,
6 1921.

Sec. 2. The Auditor of Public Accounts is directed to draw warrants on
2 the State Treasurer against this appropriation upon the presentation of vouch-
3 ers certified as correct by the president or acting president of the constitutional
4 convention.



- 1 Introduced by Mr. Young, May 21, 1921.
- 2 Read by title, ordered printed, and referred to Committee on Revenue.

A BILL

For an Act in relation to a tax upon incomes.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* For the purpose of this Act and unless
3 otherwise required by the context:

4 (1) The word "commission" means the State tax commission.

5 (2) The word "taxpayer" includes any person, trust or estate subject to a
6 tax imposed by this Act, or whose income is in whole or in part subject to a tax
7 imposed by this Act, and includes corporations.

8 (3) The words "military or naval forces of the United States" include the
9 marine corps, the coast guard, the army nurse corps, female, and the navy nurse
10 corps, female, but this shall not be deemed to exclude other units otherwise
11 included within such words.

12 (4) The words "taxable year" mean the calendar year, or the fiscal year
13 ending during such calendar year, upon the basis of which the net income is com-
14 puted under this Act. The words "fiscal year" mean an accounting period of
15 twelve months, ending on the last day of any month other than December.

16 (5) The word "fiduciary" means a guardian, trustee, executor, adminis-
17 trator, receiver, conservator, or any person, whether individual or corporate act-
18 ing in any fiduciary capacity for any person, trust or estate.

19 (6) The word "paid" for the purposes of the deductions and credits under
20 this Act means "paid or accrued" or "paid or incurred," and the terms "paid
21 or incurred" and "paid or accrued" shall be construed according to the method
22 of accounting upon the basis of which the net income is computed, under this
23 Act. The term "received" for the purpose of the computation of net income
24 under this Act means "received or accrued" and the term "received or accrued"
25 shall be construed according to the method of accounting upon the basis of
26 which the net income is computed under this Act.

27 (7) The word "resident" applies to natural persons and corporations, and
28 includes for the purpose of determining liability to the tax imposed by this Act
29 upon or with reference to the income of any taxable year, commencing with the
30 year 1922, any person who shall, at any time on or after January first and not
31 later than March fifteenth of the next succeeding calendar year, be or become a
32 resident of the State, and any corporation which, during such time, shall exist as
33 a corporation organized under the laws of this State, or shall be so organized.

34 (8) The word "dividend" means any distribution made by a corporation
35 out of its earnings or profits to its shareholders or members, whether in cash or
36 in other property or in stock of the corporation.

37 (9) The words "foreign country" or "foreign government" mean any
38 jurisdiction other than one embraced within the United States. The words
39 "United States" include the states, the territories of Alaska and Hawaii and the
40 District of Columbia.

41 (10) The words "withholding agent" include all individuals, corporations,
42 associations and partnerships, in whatever capacity acting, including lessees, or
43 mortgagors of real or personal property, fiduciaries, employers, and all officers
44 and employees of the State, or of any municipal corporation or political subdi-
45 vision of the State, having the control, receipt, custody, disposal or payment, of

46 interest, rent, salaries, wages, premiums, annuities, compensations, remunera-
47 tions, emoluments or other fixed or determinable annual or periodical gains,
48 profits and income taxable under this Act.

Sec. 2. A tax is hereby imposed upon every resident of the State, which tax
2 shall be levied, collected and paid annually upon and with respect to his entire net
3 income as herein defined at rates as follows: One per centum of the amount of
4 net income not exceeding ten thousand dollars; two per centum of the amount of
5 net income in excess of ten thousand dollars but not in excess of fifty thousand
6 dollars; three per centum of the amount of net income in excess of fifty thousand
7 dollars. A like tax is hereby imposed and shall be levied, collected and paid
8 annually, at the rates specified in this section, upon and with respect to the
9 entire net income as herein defined, except as hereinafter provided from all
10 property owned and from every business, trade, profession or occupation car-
11 ried on in this State by natural persons not residents of the State and by cor-
12 porations not organized under the laws of this State. Such tax shall first be
13 levied, collected and paid in the year nineteen hundred and twenty-three upon
14 and with respect to the taxable income for the calendar year nineteen hundred
15 and twenty-two, or for any taxable year ending during the year nineteen hun-
16 dred and twenty-two.

Sec. 3. For the purpose of ascertaining the gain derived or loss sustained
2 from the sale or other disposition of property, real, personal or mixed, the
3 basis shall be, first, in case of property acquired before January first, nine-
4 teen hundred and twenty-two, the fair market price or value of such property,
5 as of January first, nineteen hundred and twenty-two, and second, in case of
6 property acquired on or after that date, the cost thereof, or the inventory
7 value, if the inventory is made in accordance with this Act.

Sec. 4. When property is exchanged for other property, the property re-
2 ceived in exchange shall for the purpose of determining gain or loss be treated
3 as the equivalent of cash to the amount of its fair market value, if any; but

4 when in connection with the reorganization, merger or consolidation of a cor-
5 poration a taxpayer receives, in place of stock or securities owned by him,
6 new stock or securities of no greater aggregate par or face value, no gain or
7 loss shall be deemed to occur from the exchange, and the new stock or securities
8 shall be treated as taking the place of the stock, securities or property
9 exchanged.

Sec. 5. When in the case of any such reorganization, merger or consolida-
2 tion the aggregate par or face value of the new stock or securities received
3 is in excess of the aggregate par or face value of the stock or securities ex-
4 changed, a like amount in par or face value of the new stock or securities re-
5 ceived shall be treated as taking the place of the stock or securities exchanged,
6 and the amount of the excess in par or face value shall be treated as a gain to
7 the extent that the fair market value of the new stock or securities is greater
8 than the cost of the stock or securities exchanged, if acquired on or after Janu-
9 ary first, nineteen hundred and twenty-two, and its fair market price or value
10 as of January first, nineteen hundred and twenty-two, if acquired before that
11 date.

Sec. 6. Whenever in the opinion of the commission the use of inventories
2 is necessary in order clearly to determine the income of any taxpayer, inven-
3 tories shall be taken by such taxpayer upon such basis as the commission may
4 prescribe, conforming as nearly as may be to the best accounting practice in the
5 trade or business and most clearly reflecting the income, and conforming so far
6 as may be to the forms and methods prescribed by the United States Commis-
7 sioner of internal revenue under the Act of Congress known as the Revenue Act
8 of nineteen hundred and eighteen.

Sec. 7. The term "net income" means the gross income of taxpayer less
2 the deductions allowed by this Act.

Sec. 8. (1) The net income shall be computed upon the basis of the taxpayer's annual accounting period (fiscal year or calendar year, as the case may be) in accordance with the method of accounting regularly employed in keeping the books of such taxpayer; but if no such method of accounting has been so employed, or if the method employed does not clearly reflect the income, the computation shall be made upon such basis and in such manner as in the opinion of the commission does clearly reflect the income. If the taxpayer's annual accounting period is other than a fiscal year as defined in this Act, or if the taxpayer has no annual accounting period or does not keep books, the net income shall be computed on the basis of the calendar year.

(2) If a taxpayer changed his accounting period from fiscal year to calendar years, from calendar year to fiscal year, or from one fiscal year to another, the net income shall, with the approval of the commission, be computed on the basis of such new accounting period, subject to the provisions of Section 20 hereof.

Sec. 9. (1) The term "gross income" includes gains, profits and income derived from salaries, wages or compensation for personal service, of whatever kind and in whatever form paid, or from professions, vocations, trades, businesses, commerce, or sales, or dealings in property, whether real or personal, growing out of the ownership or use of or interest in such property; also from interest, rent, dividends, securities, or the transaction of any business carried on for gain or profit, and gains or profits and income derived from any source whatever. The amount of all such items shall be included in the gross income for the taxable year in which received by the taxpayer, unless, under the methods of accounting permitted in this Act, any such amounts are to be properly accounted for as of a different period; but

(2) Does not include the following items which shall be exempt from taxation under this Act:

a. The proceeds of life insurance policies and contracts paid upon the death of the insured to individual beneficiaries or to the estate of the insured.

16 b. The amount received by the insured as a return of premium or premiums
17 paid by him under life insurance, endowment or annuity contracts, either dur-
18 ing the term or at the maturity of the term mentioned in the contract or upon
19 surrender of the contract.

20 c. The value of property acquired by gift, bequest, devise or descent (but
21 the income from such property shall be included in gross income).

22 d. All dividends distributed by a corporation which has paid taxes on its
23 income under this Act.

24 e. Interest upon the obligations of the United States or its possessions;
25 or securities issued under the provisions of the federal farm loan Act of July
26 seventeen, nineteen hundred and sixteen; or bonds issued by the war finance
27 corporation; or the obligations of this State or of any municipal corporation
28 or political subdivision thereof.

29 f. Any amount received through accident or health insurance or under
30 workmen's compensation Acts, as compensation for personal injuries or sickness,
31 plus the amount of any damages received whether by suit or agreement on
32 account of such injuries or sickness, or through the war risk insurance Act or
33 any law for the benefit or relief of injured or disabled members of the military
34 or naval forces of the United States.

35 g. Salaries, wages and other compensation received from the United
36 States by officials or employees thereof, including persons in the military or
37 naval forces of the United States.

38 h. Income received by any officer of a religious demonination or by any
39 institution, or trust, for moral or mental improvement, religious, bible, tract,
40 charitable, benevolent, fraternal, missionary, hospital, infirmary, educational,
41 scientific, literary, library, patriotic, historical or cemetery purposes, or for the
42 enforcement of laws relating to children or animals, or for two or more of such
43 purposes, if such income be used exclusively for carrying out one or more of
44 such purposes; but nothing herein shall be construed to exempt the fees, sti-
45 pends, personal earnings or other private income of such officer or trustee.

46 (3) In the case of taxpayers other than residents, gross income includes
47 only the gross income from sources within the State, but shall not include annui-
48 ties, interest on bank deposits, interest on bonds, notes or other interest-bear-
49 ing obligations or dividends from corporations, except to the extent to which the
50 same shall be a part of income from any business, trade, profession or occupa-
51 tion carried on in this State subject to taxation under this Act.

Sec. 10. In computing net income there shall be allowed as deductions:

2 (1) All the ordinary and necessary expenses paid or incurred during the
3 taxable year in carrying on any trade or business, including a reasonable allow-
4 ance for salaries or other compensation for personal services actually ren-
5 dered, and including rentals or other payments required to be made as a con-
6 dition to the continued use or possession, for purposes of the trade or business,
7 of property to which the taxpayer has not taken or is not taking title or in
8 which he has no equity.

9 (2) In the case of a resident of the State such a proportion of the total
10 interest paid during the taxable year on indebtedness, as the net income of the
11 taxpayer taxable under this Act bears to his total income from all sources; or
12 in case of an individual not a resident of the State, the same proportion of in-
13 terest paid or accrued within the taxable year on indebtedness which the
14 amount of such gross income, as herein defined, bears to the gross amount of
15 his income from all sources within and without the State.

16 (3) Taxes (other than income taxes) paid or accrued within the taxable
17 year imposed, first, by the authority of the United States, or of any of its pos-
18 sessions, or, second, by the authority of any state, territory, or any county,
19 school district, municipality or other taxing subdivision of any state or terri-
20 tory, not including those assessed for local benefits of a kind tending to in-
21 crease the value of the property assessed, or, third, by the authority of any for-
22 eign government.

23 (4) Losses sustained during the taxable year and not compensated for by
24 insurance or otherwise, if incurred in trade or business.

25 (5) Losses sustained during the taxable year and not compensated for by
26 insurance or otherwise, if incurred in any transaction entered into for profit,
27 though not connected with the trade or business; but in the case of a taxpayer
28 other than a resident of the State, only as to such transactions within the State.

29 (6) Losses sustained during the taxable year of property not connected
30 with the trade or business (but, in the case of a taxpayer other than a resident,
31 only of property within the State), if arising from fires, storms, shipwrecks, or
32 other casualty or from theft, and not compensated for by insurance or other-
33 wise.

34 (7) Debts ascertained to be worthless and charged off within the taxable
35 year.

36 (8) A reasonable allowance for the exhaustion, wear and tear of property
37 used in the trade or business, including a reasonable allowance for obsolescence.

38 (9) In the case of mines, oil and gas wells, other natural deposits and
39 timber, a reasonable allowance for depletion and for depreciation of improve-
40 ments, according to the peculiar conditions in each case, based upon cost in-
41 cluding cost of development not otherwise deducted; provided, that in the case
42 of such properties acquired prior to January first, nineteen hundred and twenty-
43 two, the fair market value of the property (or the taxpayer's interest therein)
44 on that date shall be taken in lieu of cost up to that date; provided, further,
45 that in the case of mines, oil and gas wells, discovered by the taxpayer on or
46 after January first, nineteen hundred and twenty-two, and not acquired as the
47 result of a purchase of a proven tract or lease, where the fair market value
48 of the property is materially disproportionate to the cost, the depletion allow-
49 ance shall be based upon the fair market value of the property at the date of the
50 discovery or within thirty days thereafter; such reasonable allowance in all the
51 above cases to be made under rules and regulations to be prescribed by the com-
52 mission. In the case of leases the deductions allowed by this paragraph shall
53 be equitably apportioned between the lessor and lessee.

(10) Contributions or gifts made within the taxable year to corporations incorporated by, or associations organized under, the laws of this State, or voluntary associations, and operated exclusively for religious, charitable, scientific or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private stockholder or individual, or to the special fund for vocational rehabilitation authorized by Section seven of the Act of Congress known as the vocational rehabilitation Act, to an amount not in excess of fifteen per centum of the taxpayer's net income as computed without the benefit of this subdivision. Such contributions or gifts shall be allowable as deductions only if verified under rules and regulations prescribed by the commission. In the case of a taxpayer other than a resident of the State this deduction shall be allowed only as to contributions or gifts made to corporations or associations incorporated by or organized under the laws of this State or to the vocational rehabilitation fund above mentioned.

(1) In the case of a taxpayer other than a resident of the State, the deductions allowed in this section shall be allowed only if, and to the extent that, they are connected with income arising from sources within the State; and the proper apportionment and allocation of the deductions with respect to sources of income within and without the State shall be determined under rules and regulations to be prescribed by the commission.

Sec. 11. In computing net income no deductions shall in any case be allowed in respect of:

1. Personal, living, or family expenses;
2. Any amount paid out for new buildings or for permanent improvements or betterments made to increase the value of any property or estate;
3. Any amount expended in restoring property or in making good the exhaustion thereof for which an allowance is or has been made; or
4. Premiums paid on any life insurance policy, covering the life of any officer or employee, or of any person financially interested in any trade or

9 business carried on by the taxpayer, when the taxpayer is directly or indirectly
10 a beneficiary under such policy.

Sec. 12. The following exemptions shall be allowed to any resident tax-
2 payer (excepting a corporation):

3 1. In the case of a single person, a personal exemption of five thousand
4 dollars, or in the case of the head of a family or a married person living with
5 husband or wife, a personal exemption of six thousand dollars. A husband and
6 wife living together shall receive but one personal exemption of six thousand
7 dollars against their aggregate net income; and in case they make separate re-
8 turns, the personal exemption of six thousand dollars may be taken by either or
9 divided between them.

10 2. Five hundred dollars for each person (other than husband or wife) de-
11 pendent upon and receiving his chief support from the taxpayer, if such de-
12 pendent person is under eighteen years of age or is incapable of self-support
13 because mentally or physically defective.

14 3. A taxpayer receiving salary, wages, or other compensation from the
15 United States as an official thereof, exempt from taxation under this act, shall
16 be entitled to only so much of the personal exemption provided for in this sec-
17 tion as is in excess of the aggregate amount of such salaries, wages, or other
18 compensation.

Sec. 13. Whenever a taxpayer other than a resident of the State has be-
2 come liable to income tax to the state or country where he resides upon his net
3 income for the taxable year, derived from sources within this State and subject
4 to taxation under this act, the commission shall credit the amount of income tax
5 payable by him under this act with such proportion of the tax so payable by him
6 to the state or country where he resides as his income subject to taxation under
7 this act bears to his entire income upon which the tax so payable to such other
8 state or country was imposed; provided that such credit shall be allowed only

9 if the laws of said state or country grant a substantially similar credit to resi-
10 dents of this State subject to income tax under such laws.

Sec. 14. Individuals carrying on business in partnerships shall be liable
2 for income tax only in their individual capacity. There shall be included in com-
3 puting the net income of each partner his distributive share, whether distrib-
4 uted or not, of the net income of the partnership for the taxable year, or, if his
5 net income for such taxable year is computed upon the basis of a period differ-
9 ent from that upon the basis of which the net income of the partnership is com-
7 puted, then his distributive share of the net income of the partnership for any
8 accounting period of the partnership ending with the fiscal or calendar year
9 upon the basis of which the partner's net income is computed. Taxpayers who
10 are members of partnerships may be required by the commission to make a re-
11 turn stating the gross receipts and net gains or profits of the partnership for
12 any taxable year. The net income of the partnership shall be computed in the
13 same manner and on the same basis as provided in computing the net income of
14 individuals except that the deduction provided in subdivision ten of section 10
15 shall not be allowed and the personal exemptions provided for in section 12 shall
16 be allowed only to the individual partners.

Sec. 15. (1) The tax imposed by this act shall apply to the income of
2 estates or any kind of property held in trust, including:

3 a. Income received by estates of deceased persons during the period of
4 administration or settlement of the estate;

5 b. Income accumulated in trust for the benefit of unborn or unascertained
6 person or persons with contingent interests;

7 c. Income held for future distribution under the terms of the will or trust;
8 and

9 d. Income which is to be distributed to the beneficiaries periodically,
10 whether or not at regular intervals, and the income collected by a guardian of
11 an infant to be held or distributed as the court may direct.

12 (2) The fiduciary shall be responsible for making the return of income for
13 the estate or trust for which he acts. The net income of the estate or trust shall
14 be computed in the same manner and on the same basis as provided in this act
15 for individual taxpayers, except that there shall also be allowed as a deduction
16 any part of the gross income which pursuant to the terms of the will or deed
17 creating the trust, is during the taxable year paid to or permanently set aside
18 for the United States, any state, territory, or any political subdivision thereof,
19 or the District of Columbia, or any corporation or association organized and
20 operated exclusively for religious, charitable, scientific or educational purposes,
21 or for the prevention of cruelty to children or animals, no part of the net earn-
22 ings of which inures to the benefit of any private stockholder or individual;
23 and in cases under paragraph d of subdivision one of this section, the fiduciary
24 shall include in the return a statement of each beneficiary's distributive share of
25 such net income, whether or not distributed before the close of the taxable year
26 for which the return is made.

27 (3) In cases under paragraph a, b, and c of subdivision one, of this section,
28 the tax shall be imposed upon the net income of the estate or trust and shall be
29 paid by the fiduciary, except that in determining the net income of the estate of
30 any deceased person during the period of administration or settlement there
31 may be deducted the amount of any income properly paid or credited to any
32 legatee, heir or other beneficiary. In such cases, the estate or trust shall be
33 allowed the same exemptions as are allowed to single persons under section 12,
34 and in such cases an estate or trust created by a person not a resident and an
35 estate of a person not a resident shall be subject to tax only to the extent to
36 which individuals other than residents are liable under section 9, subdivision
37 three.

38 (4) In cases under paragraph d of subdivision one of this section and in
39 case of any income of an estate during the period of administration or settle-
40 ment permitted by subdivision three to be deducted from the net income upon
41 which tax is to be paid by the fiduciary, the tax shall not be paid by the fiduciary,

42 but there shall be included in computing the net income of each beneficiary his
43 distributive share whether distributed or not, of the net income of the estate
44 or trust for the taxable year, or, if his net income for such taxable year is com-
45 puted upon the basis of a period different from that upon the basis of which
46 the net income of the estate or trust is computed, then his distributive share of
47 the net income of the estate or trust for any accounting period of such estate
48 or trust ending with the fiscal or calendar year upon the basis of which such
49 such beneficiary's net income is computed. In such cases the income of a bene-
50 ficiary of such estate or trust not a resident shall be taxable only to the extent
51 provided in section 9 subdivision three, for individuals other than residents.

Sec. 16. (1) Every withholding agent shall deduct and withhold two per
2 centum from all salaries, wages, commissions, gratuities, emoluments, prequi-
3 sites and other fixed and determinable annual or periodical compensation of
4 whatever kind and in whatever form paid or received, earned for personal ser-
5 vices and taxable under this act of which he shall have control, receipt, custody,
6 disposal or payment, if the amount paid or received or to be paid or received in
7 any taxable year on account of any individual equals or exceeds five thousand
8 dollars, unless there shall be filed with the withholding agent, before the time
9 when he is required to make return and payment thereof, a certificate in such
10 form as shall be prescribed by the commission to the effect that the person
11 entitled to such salary, wage, commission, gratuity, emolument, perquisite or
12 other compensation is a resident and setting forth his residence address within
13 the State.

14 (2) Every withholding agent shall make return to the commission of com-
15 plete information concerning the amount of all interest, rent, salaries, wages, pre-
16 miums, annuities, compensations, remunerations, emoluments or other fixed or
17 determinable gains, profits and income, except interest coupons payable to bearer,
18 of any taxpayer taxable under this act of five thousand dollars or more in any
19 taxable year under such regulations and in such form and manner and to such
20 extent as may be prescribed by the commission.

21 (3) Every withholding agent required to deduct and withhold any tax
22 under subdivision one of this section shall make return thereof on or before the
23 fifteenth day of March in each year and shall at the same time pay the tax to the
24 commission. Every such individual, corporation or partnership is hereby made
25 liable for such tax and is hereby indemnified against the claims and demands of
26 any individual, corporation or partnership for the amount of any payments made
27 in accordance with the provisions of this section.

28 (4) Income upon which any tax is required to be withheld at the source
29 under this section shall be included in the return of the recipient of such in-
30 come, but any amount of tax so withheld shall be credited against the amount
31 of income tax as computed in such return.

32 (5) If any tax required under this section to be deducted and withheld
33 is paid by the recipient of the income, it shall not be re-collected from the with-
34 holding agent nor in cases in which the tax is so paid shall any penalty be im-
35 posed upon or collected from the recipient of the income or the withholding agent
36 for failure to return or pay the same unless such failure was fraudulent and for
37 the purpose of evading payment.

Sec. 17. Every taxpayer having a net income for the taxable year of five
2 thousand dollars or over if single or if married and not living with husband
3 or wife, or of six thousand dollars or over if married and living with husband
4 or wife, and every corporation shall make under oath a return stating specifi-
5 cally the items of his gross income and the deductions and credits allowed by
6 this act. If a husband and wife living together have an aggregate net income
7 of six thousand dollars or over, each shall make such a return unless the income
8 of each is included in a single joint return. If the taxpayer is unable to make
9 his own return the return shall be made by a duly authorized agent or by the
10 guardian or other person charged with the care of the person or property of
11 such taxpayer. A taxpayer other than a resident shall not be entitled to the
12 deductions authorized by section 10 unless he shall make under oath a complete
13 return of his gross income both within and without the State.

Sec. 18. Every partnership shall make a return for each taxable year, stating specifically the items of its gross income and the deductions allowed by this act, and shall include in the return the names and addresses of the individuals who would be entitled to share in the net income if distributed and the amount of the distributed share of each individual. Return shall be sworn to by any one of the partners.

Sec. 19. Every fiduciary (except receivers appointed by authority of law in possession of part only of the property of a taxpayer) shall make under oath a return for the taxpayer for whom he acts, first, if the net income of such taxpayer is five thousand dollars or over if single, or if married and not living with husband or wife, or six thousand dollars or over if married and living with husband or wife, or second, if the net income of such taxpayer, if an estate or trust, is five thousand dollars or over, or if any beneficiary is a corporation or is a taxpayer other than a resident of the State, which return shall state specifically the items of the gross income and the deductions, exemptions and credits allowed by this act. Under such regulations as the commission may prescribe, a return made by one of two or more joint fiduciaries and filed in the office of the commission or collector in the district where such fiduciary resides shall be a sufficient compliance with the above requirement. The fiduciary shall make oath that he has sufficient knowledge of the affairs of such individual, estate or trust to enable him to make the return, and that the same is, to the best of his knowledge and belief, true and correct. Fiduciasies required to make returns under this act shall be subject to all the provisions of this act which applies to taxpayers.

Sec. 20. If a taxpayer, with the approval of the commission, changes the basis of computing net income from fiscal year to calendar year, a separate return shall be made for the period between the close of the last fiscal year for which return was made and the following December thirty-first. If the change is made from calendar year to fiscal year, a separate return shall be made for

6 the period between the close of the last calendar year for which return was
7 made and the date designated at the close of the new fiscal year. If the change
8 is from one fiscal year to another fiscal year, a separate return shall be made
9 for the period between the close of the former fiscal year and the date designated as the close of the new fiscal year. If a taxpayer making his first return
10 for income tax keeps his accounts on the basis for a fiscal year, he shall make a
11 separate return for the period between the beginning of a calendar year in which
12 such fiscal year ends and the end the end of such fiscal year.

14 In all of the above cases the net income shall be computed on the basis of
15 such period for which separate return is made, and the tax shall be paid thereon
16 at the rate for the calendar year in which such period is included; and the exemptions allowed in this act shall be reduced respectively to amounts which
17 bear the same ratio to the full exemptions provided for as the number of months
18 in such period bears to twelve months.

Sec. 21. Returns shall be made to the commission on or before the fifteenth
2 day of March in each year of the taxpayer's net income for the last preceding
3 taxable year. The commission may grant a reasonable extension of time for
4 filing returns whenever in its judgment good cause exists and shall keep a record
5 of every such extension and the reason therefor. Except in the case of taxpayers who are abroad, no such extension shall be granted for more than six
6 months. Such returns shall, so far as may be, set forth the same or similar
7 items called for in the blank forms of return prescribed by the United States
8 commissioner of internal revenue for the enforcement of the act of Congress
9 known as the Revenue Act of nineteen hundred and eighteen, together with such
10 other facts as the commission may deem necessary for the proper enforcement
11 of this act. There shall be annexed to such return the affidavit or affirmation
12 of the person making the return, to the effect that the statements contained
13 therein are true. Blank forms of return shall be furnished by the commission
14 upon application, but failure to secure the form shall not relieve any taxpayer
15 from the obligation of making any return herein required.

Sec. 22. The commission shall administer and enforce the tax herein im-
2 posed for which purpose it may divide the State into districts in each of which
3 a branch office of the commission may be maintained; provided that in no cases
4 shall a county be divided in forming a district.

Sec. 23. If in the opinion of the commission any return of a taxpayer is in
2 any essential respect incorrect it shall have power to revise such return, or if
3 any taxpayer fails to make return as herein required, the commission is author-
4 ized to make an estimate of the taxable income of such taxpayer from any in-
5 formation in its possession, and to audit and state an account according to such
6 revised return or the estimate so made by it for the taxes, penalties and interest
7 due the state from such taxpayer. The commission shall also have power to
8 examine or cause to have examined, in case of failure to report, the books and
9 records of any such taxpayer, and may take testimony and require proof mate-
10 rial for its information.

Sec. 24. If an application for revision be filed with the commission by a
2 taxpayer within one year from the time of the filing of the return, or if the
3 tax of such taxpayer shall have been recomputed, then from the time of such
4 recomputation, the commission shall grant a hearing thereon and if it shall be
5 made to appear, upon any such hearing by evidence submitted to it or other-
6 wise, that any such computation includes taxes or other charges which could
7 not have been lawfully demanded, or that payment has been illegally made or
8 exacted of any such amount so computed, the commission shall resettle the same
9 according to law and the facts, and adjust the computation of taxes accord-
10 ingly, and shall send notice of its determination thereon to the taxpayer.

Sec. 25. Any person feeling himself aggrieved by any assessment made by
2 the Tax Commission may appeal to the Circuit Court of the county in which he
3 resides, for the purpose of having the lawfulness of such assessment inquired
4 into and determined.

5 The person taking such appeal shall file with the Tax Commission written
 6 notice of such appeal, which notice shall state in full the grounds of such ap-
 7 peal. Such notice of appeal shall be filed within ten days after such assess-
 8 ment is made and notice given thereof. Thereupon the Tax Commission shall
 9 prepare and transmit to the clerk of the court to which such appeal is taken
 10 a copy of such notice of appeal and a copy of all evidence, documents, papers,
 11 books and files pertaining to such appeal, which copies shall be certified to as
 12 correct by the Director of Finance. The appeal shall be heard without formal
 13 pleadings upon the record so certified by the Tax Commission. Appeals shall
 14 lie from the judgment of the Circuit Court to the Supreme Court. The remedy
 15 by appeal herein provided for shall not be construed to be exclusive.

16 No appeal to the Circuit Court from an assessment made by the tax com-
 17 mission shall stay or suspend any assessment.

Sec. 26. (1) Any person required by this Act to make, render, sign or
 2 verify any return, who fails to make, render, sign or verify such return within
 3 the time required by or under a provision of law, or who makes any false or
 4 fraudulent return or statement, with intent to evade any tax imposed by this
 5 Act, shall be guilty of a misdemeanor and shall, upon conviction, be fined not
 6 to exceed one thousand dollars, or be imprisoned in the county jail not to ex-
 7 ceed one year, or both.

8 (2) If any such person shall fail or refuse to make a return of income at
 9 the time or times hereinbefore specified, but shall voluntarily make a correct
 10 return of income within sixty days thereafter, there shall be added to his tax
 11 five per centum of the amount otherwise due, but such additional amount shall
 12 in no case be less than two dollars.

13 (3) If any person liable to taxation under this Act fails to make a return
 14 as herein required, the amount of income of such person discovered to be tax-
 15 able shall be subject to twice the ordinary rate of taxation. If any person
 16 liable to taxation under this Act makes any false or fraudulent return or state-
 17 ment, with intent to evade any tax imposed by this Act, and an additional

18 amount is discovered to be taxable, such additional amount shall be subject to
19 twice the ordinary rate of taxation. Such tax shall be collected at such time
20 and in such manner as may be designated by the commission. This penalty
21 shall be additional to all other penalties in this or any other section provided.

Sec. 27. (1) Each taxpayer shall, at the time of filing his return, pay to
2 the commission the amount of tax payable hereunder as the same shall appear
3 from the face of the return. If the time for filing the return shall be extended,
4 he shall pay in addition interest thereon at the rate of six per centum per
5 annum from the time when the return was originally required to be filed to
6 the time of payment.

7 (2) As soon as practicable after the return is filed, the commission shall
8 examine it and compute the tax.

9 (3) If the amount of tax as computed shall be greater than the amount
10 theretofore paid, the excess shall be paid by the taxpayer to the commission
11 within thirty days after notice of the amount of the tax as computed shall be
12 mailed by the commission.

Sec. 28. Notice of tax assessment shall be sent by mail to the post office
2 address given in the report, and the record that such notice has been sent
3 shall be presumptive evidence of the giving of the notice and such record shall
4 be preserved by the commission.

Sec. 29. (1) The commission is authorized at its discretion to designate
2 agents for the purpose of collecting income taxes and shall require from them
3 reasonable bond.

4 (2) If the tax imposed by this Act or any part of such tax be not paid at
5 the time when required to be paid under the provisions of this Act or in the
6 case of additional taxes, at the time designated by the commission, the tax-
7 payer liable to pay such tax shall pay to the commission, in addition to the
8 amount of such tax, or part thereof, five per centum of said amount, plus one

9 per centum for each month, or fraction of a month, the tax, or part thereof,
10 remains unpaid.

Sec. 30. If any tax imposed by this Act or any portion of such tax be not
2 paid within sixty days after the same becomes due, the commission shall issue
3 a warrant under its hand and seal directed to the sheriff of any county of the
4 State commanding him to levy upon and sell the real and personal property
5 of the person owing the same, found within his county, for the payment of the
6 amount thereof, with the added penalties, interest and the cost of executing the
7 warrant, and to return such warrant to the commission and pay to it the money
8 collected by virtue thereof by a time to be therein specified, not less than sixty
9 days from the date of the warrant. The sheriff shall within five days after the
10 receipt of the warrant, file with the clerk of his county a copy thereof, and
11 thereupon the clerk shall enter in the judgment docket, in the column for judg-
12 ment debtors, the name of the taxpayer mentioned in the warrant, and in appro-
13 priate columns the amount of the tax or portion thereof and penalties for which
14 the warrant is issued and the date when such copy is filed, and thereupon the
15 amount of such warrant so docketed shall become a lien upon the title to and
16 interest in real property or chattels real or the person against whom it is
17 issued in the same manner as a judgment duly docketed in the office of such
18 clerk. The said sheriff shall thereupon proceed upon the same in all respects,
19 with like effect, and in the same manner prescribed by law in respect to execu-
20 tions issued against property upon judgments of a court of record, and shall
21 be entitled to the same fees for his services in executing the warrant, to be
22 collected in the same manner. If a warrant be returned not satisfied in full
23 the commission shall have the same remedies to enforce the claim for taxes
24 against the taxpayer as if the people of the State had recovered judgment
25 against the taxpayer for the amount of the tax.

Sec. 31. Action may be brought at any time by the Attorney General of
2 the State at the instance of the commission, in the name of the People of the

3 State of Illinois to recover the amount of any taxes, penalties and interest due
4 under this Act.

Sec. 32. The commission is hereby authorized to make such rules and regu-
2 lations, and to require such facts and information to be reported, as it may
3 deem necessary to enforce the provisions of this Act.

Sec. 33. (1) Except in accordance with proper judicial order or as other-
2 wise provided by law, it shall be unlawful for the commission, any agent,
3 clerk, or other officer or employe to divulge or make known in any manner the
4 amounts of income or any particulars set forth or disclosed in any report or
5 return required under this Act. Nothing herein shall be construed to prohibit
6 the publication of statistics so classified as to prevent the identification or par-
7 ticular reports or returns and the items thereof, or the inspection by the Attor-
8 ney General or other legal representatives of the State of the reports or return
9 of any taxpayer who shall bring action to set aside or review the tax based
10 thereon, or against whom an action or proceedings has been instituted in ac-
11 cordance with the provisions of Sections 30 and 31 of this Act. Reports and
12 returns shall be preserved for three years and thereafter until the commission
13 order them to be destroyed.

14 (2) Any offense against subdivision one of this section shall be punished
15 by a fine not exceeding one thousand dollars or by imprisonment in the county
16 jail not exceeding one year, or both, at the discretion of the court, and if the
17 offender be an officer or employee of the State he shall be dismissed from office
18 and be incapable of holding any public office in this State for a period of five
19 years thereafter.

Sec. 34. It shall be unlawful for any person to agree or contract directly
2 or indirectly to pay or assume or bear the burden of any tax payable by any
3 taxpayer under the provisions of this Act. Any such contract or agreement
4 shall be null and void and shall not be enforced or given effect by any court.

Sec. 35. This Act shall be effective January 1, 1922.



- 1 Introduced by Mr. Emmons (by request), May 10, 1921.
- 2 Read by title, ordered printed and referred to Committee on Roads and Bridges.

A BILL

For an Act to provide for the extension and levy of taxes to pay road bonds issued under the provisions of Section 112 of an Act entitled "An Act to revise the law in relation to roads and bridges," approved June 27, 1913, in force July 1, 1913, and all acts amendatory thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That in all cases where road bonds have
3 been issued by any township or road district under and in accordance with the
4 provisions of Section 112 of an Act entitled "An Act to revise the law in rela-
5 tion to roads and bridges," in force July 1, 1913, as the same appeared in said
6 original act or any amendment thereof, the County Clerk of the county in which
7 any such township or road district is situated is hereby authorized and directed
8 annually to extend and levy taxes upon all the taxable property of any such
9 township or road district sufficient to pay said bonds, both principal and in-
10 terest, all in manner and form as provided by the constitution and statutes of
11 this State. Said clerk shall extend and levy upon all the taxable property of

12 any such township or road district as a part of the next annual tax levy, in addi-
13 tion to all other taxes, a tax sufficient to pay all such bonds and interest thereon
14 now due or to become due prior to May 1, 1923, and annually thereafter such
15 Clerk shall extend a tax sufficient to pay principal and interest maturing on such
16 bonds.

Sec. 2. The Clerk of any such township or road district, as the case may
2 be, is hereby directed to notify the County Clerk of such county before August
3 1, 1921, by filing with such County Clerk a certificate showing the amount of
4 road bonds and interest thereon due and unpaid or to become due prior to May
5 1, 1923.

Sec. 3. That all acts or parts of acts in conflict herewith be and the same are
2 hereby repealed.

Sec. 4. Whereas an emergency exists, therefore this act shall be in full force
2 and effect from and after its passage and approval.

AMENDMENT TO

52d G. A.

HOUSE BILL NO. 784

1921



1 Adopted May 26, 1921.

AMENDMENT NO. 1.

Amend House Bill No. 784, by striking out Section 4.



- 1 Introduced by Mr. Lyon, May 10, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For “An Act to amend an Act to prohibit corporations or, on their behalf, their officers, agents and employees from practicing law, directly or indirectly, making the same a misdemeanor and providing penalties for the violation thereof.”
Filed June 28, 1917, in force July 1, 1917.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That “An Act to amend an Act to prohibit corporations or, on their behalf, their officers, agents and employees from practicing law, directly or indirectly, making the same a misdemeanor and providing penalties for the violation thereof,” filed June 28, 1917, in force July 1, 1917, is amended to read as follows:

Sec. 2. It shall be unlawful for any corporation to practice law or appear as an attorney at law for any person in any court in this State, or before any judicial body, or to make it a business to practice, as an attorney at law, for any person, firm or corporation, in any of said courts, or to hold itself out to the public as being entitled to practice law, or to render or furnish legal serv-

ices or advice, or to furnish attorneys or counsel or to render legal services of any kind in actions or proceedings of any nature, or in any other way or manner to assume to be entitled to practice law, or to assume, use or advertise the title of lawyer or attorney, attorney at law or equivalent terms in any language in such manner as to convey the impression that it is entitled to practice law, or to furnish legal services or advice, furnish attorneys or counsel, or to advertise that either alone or together with, or by or through any person, whether a duly and regularly admitted attorney at law or not, it has, owns, conducts, or maintains a law office, or any office for the practice of law or for furnishing legal advice, services or counsel.

Sec. 3. It shall be unlawful further for any corporation to solicit by itself or by or through any officer, agent or employee any claim or demand, for the purpose of bringing or defending an action at law or in equity thereon, or for furnishing legal advice, services or counsel to any person or corporation, suing or about to sue, or any person or corporation sued or about to be sued, in any action or proceeding in law or equity, or by or against whom any such action or proceeding has been or is about to be brought, or who may be affected by any action or proceeding which has been or may be instituted in any court, or before any judicial body, or for the purpose of representing any person or corporation, as attorney or counsel in securing or attempting to secure any civil remedy or defense.

Sec. 4. The fact that any such officer, trustee, director, agent, employee or other person shall be a duly and regularly admitted attorney at law shall not be held to permit or allow any such corporation to do the acts prohibited herein, nor shall such fact constitute a defense upon the trial of any of the persons mentioned herein for a violation of the provisions of this Act.

Sec. 5. Nothing contained in this Act shall prohibit a corporation from employing an attorney or attorneys in and about its own immediate affairs or

3 in any litigation to which it is or may be a party, nor shall it apply to or-
4 ganizations organized for benevolent or charitable purposes or assisting per-
5 sons without means in the pursuit of any civil remedy or the presentation of
6 a defense in courts of law.

Sec. 6. Any corporation violating the provisions of this Act shall be liable
2 to a fine of not less than five hundred (\$500) nor more than five thousand dol-
3 lars (\$5,000.00) and every officer, trustee, director, agent or employee of such
4 corporation, or any other person who on behalf of such corporation directly or
5 indirectly engages in any of the acts prohibited by this Act, or assists such
6 corporation to do any such prohibited act or acts is guilty of a misdemeanor,
7 and upon conviction shall pay a fine of not less than five hundred dollars
8 (\$500.00) or more than five thousand dollars (\$5,000.00).



- 1 Introduced by Committee on Industrial Affairs, May 11, 1921.
- 2 Substitute for House Bill No. 388.
- 3 Read a first time, ordered printed and to a second reading.

A BILL

For an Act to amend Section 15 of "An Act to promote the public health by protecting certain employees in this State from the dangers of occupational diseases and providing for the enforcement thereof, approved May 26, 1911, in force July 1, 1911."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: Section 15 of "An Act to promote the public health by protecting certain employees in this State from the dangers of occupational diseases and providing for the enforcement thereof, approved May 26, 1911, in force July 1, 1911," be, and the same is hereby amended as follows:*

Sec. 15. (a) *DISABLEMENT AN ACCIDENT.] The disablement of an employee engaged in occupations covered by Section Two (2) of this Act resulting from an occupational disease arising as a result of the work, labor, manufacture or process referred to in said Section Two (2), shall be treated as the happening*

5 of an accidental injury within the terms and meaning of the Workmen's Com-
6 pensation Act.

7 (b) DEFINITION.] *The term disablement means the state of being disabled*
8 *from earning full wages at the work at which the employes was last employed*
9 *by the employer from whom he claims compensation.*

10 (c) EMPLOYEE'S RIGHT TO RECOVER COMPENSATION.] *If any employee em-*
11 *ployed in occupations covered by Section Two (2) of this Act is disabled or dies*
12 *and his disability or death is caused by a disease arising out of the occupa-*
13 *tions referred to in Section Two (2) of this Act which disease arises out of and*
14 *in the course of his employment, he or his dependents shall be entitled to com-*
15 *penensation for his death or for the duration of his disability in accordance with*
16 *the provisions of the Workmen's Compensation Act.*

17 (d) LIMITATION OF RIGHT TO RECOVER DAMAGES.] *No common law or statu-*
18 *tory right to recover damages for injury or death sustained by an employee*
19 *from an occupational disease other than the compensation provided in the*
20 *Workmen's Compensation Act shall be available to any employes engaged in any*
21 *work, manufacture or process referred to in Section Two (2) of this Act, to*
22 *anyone wholly or partially dependent upon him, the legal representatives of his*
23 *estate or to anyone otherwise entitled to recover damages for such injury.*

24 (e) EXTENT OF AMENDMENT.] *Except as amended herein said Section Fif-*
25 *teen (15) shall be and remain in full force and effect as heretofore.*



- 1 Introduced by Mr. Smejkal, May 11, 1921.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act to amend section 1 of an "Act to provide for and fix the compensation of the members of the General Assembly of the State of Illinois," approved December 6, 1907, in force July 1, 1908, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That section 1 of an Act to provide for
3 and fix the compensation of the members of the General Assembly of the State
4 of Illinois, approved December 6, 1907, in force July 1, 1908, as amended, be
5 amended to read as follows:

"Sec. 1. That the members of the General Assembly elected in the year
2 1922, and hereafter elected, shall receive for the period for which members of
3 the House of Representatives of the General Assembly are elected, the sum of
4 three thousand five hundred (\$3,500.00) dollars, payable during the first regular
5 session of the General Assembly, held after the general election for members
6 of the House of Representatives, and *the actual mileage* for each mile neces-
7 sarily travelled *in each and every trip* in going to and returning from the seat

8 of government during each session, to be computed by the Auditor of Public
9 Accounts, *it being the express intention of this Act that, inasmuch as the said*
10 *members of the General Assembly do not reside at the seat of government but*
11 *are compelled to go to said seat of government from their homes, and return*
12 *from said place to their homes, once each week or at longer or shorter inter-*
13 *vals, as the case may be, therefore said members shall be entitled to and shall*
14 *be paid said mileage, as herein specified, for each and every trip so necessarily*
15 *taken during each session of said General Assembly; and also fifty (\$50.00)*
16 *dollars per session for each member, which shall be in full for stationery, news-*
17 *papers, postage and all other incidental expenses.*



- 1 Introduced by Mr. Baldwin, May 11, 1921.
- 2 Read by title, ordered printed and referred to Committee on Insurance.

A BILL

For an Act providing for the organization, operation and supervision of fire insurance rate making bureaus, to provide for a review of any rates fixed by such bureau for insurance upon property in this State, to prohibit discrimination in such rates, and to regulate all agreements between fire insurance companies or their agents affecting such rates.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That every fire insurance company or
3 other insurer authorized to affect insurance against the risk of loss or damage
4 by fire or lightning in this State shall maintain or be a member of a rating
5 bureau. No such insurer shall be a member of more than one rating bureau
6 for the purpose of rating the same class of risk.

Sec. 2. A rating bureau may consist of one or more insurers, and when con-
2 sisting of two or more insurers, shall admit to membership any authorized in-
3 surer applying therefor. The expenses of the bureau shall be shared in propor-
4 tion to the gross premiums received by each member during the preceding year

5 in this State, to which may be added a reasonable annual fee. Each member
6 shall have one vote.

Sec. 3. Every rating bureau shall maintain an office within the United
2 States.

Sec. 4. Every fire insurance company or other insurer aforesaid shall, in
2 its annual application for license, specify each rating bureau making rates upon
3 property located within this State of which it is a member, and during the year,
4 file written notice of any other such rating bureaus of which it shall become a
5 member.

Sec. 5. Every rating bureau engaged in making rates or estimates for rates
2 for fire insurance on property in this State, shall inspect every risk specifically
3 rated by it upon schedule, and make a written survey of such risk, which shall
4 be filed as a permanent record in the office of such bureau. A copy of such
5 survey shall be furnished to the owner upon request.

Sec. 6. The Department of Trade and Commerce may address inquiries to
2 any individual, association or bureau, which is or has been engaged in making
3 rates or estimates for rates for fire insurance upon property in this State, in re-
4 lation to the organization, maintenance, or operation, or any other matter con-
5 nected with its transactions, and may require the filing of schedules, rates,
6 forms, rules, regulations and such other information as may be required, and it
7 shall be the duty of every such individual, association or bureau, or some officer
8 thereof, promptly to make such filing or reply to such inquiries in writing.

Sec. 7. The Department of Trade and Commerce shall have power to ex-
2 amine any such rating bureau as often as they deem it expedient to do so, and
3 shall do so not less than once every three years. A report thereof shall be filed
4 in their office. The Department of Trade and Commerce may waive such exami-
5 nation upon the filing with them of a report of such examination made by some

6 other insurance department or proper supervising officer within such three
7 years. A statement with regard to such examination shall be made in the an-
8 nual report of the Department of Trade and Commerce.

Sec. 8. No fire insurance company or other insurer against the risk of fire
2 or lightning, nor any rating bureau, shall fix or charge any rate for fire insur-
3 ance upon property in this State which discriminates unfairly between risks in
4 the application of like charges and credits, or which discriminates unfairly be-
5 tween risks of essentially the same hazards and having substantially the same
6 degree of protection against fire.

Sec. 9. Any deviation of any company or insurer from the schedule of
2 rates established and maintained by the bureau which it maintains, or of which
3 it is a member, shall be uniform in its application to all of the risks in the class
4 for which the variation is made, and no such uniform deviation shall be made
5 unless notice thereof shall be filed with the bureau of which the insurer is a
6 member, and the Department of Trade and Commerce of this State, at least
7 fifteen days before such uniform variation is in effect, and schedules providing
8 for such variation shall be filed with the rating bureau and the Department of
9 Trade and Commerce showing the amended basis of rate and amended charges
10 and credits and application of the amended schedules to individual risks in
11 the class affected.

Sec. 10. Except as contained in the policy and the usual agreement for
2 other insurance, no such insurance company or insurer or rating bureau shall
3 make any contract or agreement with any person insured or to be insured that
4 that the whole or any part of any insurance shall be written by or placed with
5 any particular company, insurer, agent or any group of companies, insurers or
6 agents.

Sec. 11. The Department of Trade and Commerce may upon written com-
2 plaint, or upon their own information that discrimination in rates exists be-

3 tween risks in the application of like charges and credits, or discrimination be-
 4 tween risks essentially the same hazard and having substantially the same de-
 5 gree of protection against fire, order a hearing for the purpose of determining
 6 such questions of discriminations, and the review of such questions and the
 7 rates complained of before said Director shall be had only after due notice to all
 8 parties interested, and if upon such hearing the Director shall determine that
 9 the rate complained of is discriminatory he shall have power to order the dis-
 10 crimination removed, but no such discrimination shall be removed by increasing
 11 the rate or rates on any risk or class of risks affected by such order unless it shall
 12 be made to appear to the Department of Trade and Commerce that such in-
 13 crease is justifiable and an order of approval has been filed in the office of the
 14 Department of Trade and Commerce. Any party in interest being dissatisfied
 15 with any order of the Department of Trade and Commerce may within thirty
 16 days from the issue of such order and notice thereof commence an action in the
 17 Circuit Court of Sangamon County for the purpose of reviewing such order and
 18 such cause shall be duly set for hearing and proceed as in other cases. During
 19 the pendency of such court proceedings the order shall be suspended, and in the
 20 event of final determination against any insurer, any overcharge during the pen-
 21 dency of such proceedings shall be refunded by the insurer to the persons en-
 22 titled thereto.

Sec. 12. No fire insurance company or any other insurer, and no rating
 2 bureau, or any representative of any fire insurance company or other insurer or
 3 rating bureau, shall enter into or act upon any agreement with regard to the
 4 making, fixing or collecting of any rate for fire insurance upon property within
 5 this State except in compliance with this Act.

Sec. 13. Any such agreement may be made and enforced provided the same
 2 be not contrary to public policy and is in writing, and, prior to its taking effect,
 3 a copy thereof be filed with the Department of Trade and Commerce and with
 4 each rating bureau of which any of the parties thereto shall be a member or
 5 subscriber.

Sec. 14. The Department of Trade and Commerce may, after due notice and hearing, upon complaint or upon their own motion, make an order disapproving any such agreement. No such agreement shall be in force, nor shall any rights be based thereon, after service of a copy of such order upon each of the parties to such agreement, and upon each bureau with which such agreement is required to be filed. Service may be made by mail and shall be completed upon the expiration of a reasonable time for the transmission fixed in such order. Any person in interest being dissatisfied with the order or refusal to make an order by the Department of Trade and Commerce may within thirty days from the issuance of such order or refusal and notice thereof commence an action in the Circuit Court of Sangamon County against the Department of Trade and Commerce as defendant to review any action of said Director either in making or refusing to make any such order and such cause shall thereupon proceed as herein provided in Section 11.

Sec. 15. Any violation of the provisions of this Act by any fire insurance company or other insurer authorized to effect insurance against the risk of loss or damage by fire or lightning in this State, or by any rate making bureau or officer or agent of either shall be a misdemeanor and on conviction shall be punishable by a fine of not less than twenty-five nor more than two hundred dollars for each such violation, and in the event any insurer, insurance company, individual or rating bureau shall be found guilty of violation of the provisions of this Act and subjected to the penalty herein provided and the same shall not be paid within thirty days the Department of Trade and Commerce may in their discretion revoke the license of such insurer or insurance company and suspend the certificate of authority of such person or rating bureau until such fine has been paid.

Sec. 16. All Acts or parts of Acts inconsistent herewith are hereby repealed.



- 1 Introduced by Mr. Garesche (by request), May 11, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act imposing civil liability on persons causing fires in cities, villages or incorporated towns, through criminal intent or design, or negligence, or failure to take precautions against fires.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Where a fire in any city, village or incor-
3 porated town, originates on the premises occupied by any person, as a result of
4 uch person's negligence, or criminal intent or design, or such person's failure to
5 comply with any law, ordinance or lawful regulation of any State or municipal
6 authority, enacted or made for the prevention of fire or the spreading of fires,
7 such person shall be liable to the city, village or incorporated town, for the
8 payment of all costs and expenses of the fire department of the city, village or
9 incorporated town, incurred in the use of employes, apparatus and materials in
10 the extinguishment or attempt to extinguish such fire.

Sec. 2. In case of any such fire, the executive office of the fire department
2 of the city, village or incorporated town, shall determine the amount of such

3 costs and expenses, based upon the wages of the firemen and other employes, for
4 the time they were engaged in the extinguishment, or the attempt to extin-
5 guish such fire, a reasonable amount as rental for the use of the fire apparatus
6 of the city, village or incorporated town, and the cost of the water and other
7 materials used in the extinguishment, or the attempt to extinguish such fire,
8 with an additional amount of ten per cent on the total amount for the foregoing
9 items, as supervisory or overhead charges. If a suit is instituted to recover the
10 the amount due in any case under the provisions of this Act, this determination
11 of costs by the executive officer of the fire department, shall be *prima facie* evi-
12 dence of the amount to be recovered. The recovery in any case shall be paid
13 into the treasury of the city, village or incorporated town.

Sec. 3. For the purpose of enforcing this act, it is the duty of executive
2 officers of the fire departments of cities, villages and incorporated towns, to lay
3 before the attorneys of their respective cities, villages or incorporated towns,
4 or the city council of their cities, or the president and board of trustees of their
5 villages, all evidences of the liability of any person under the provisions of
6 this Act.

Sec. 4. It shall be the duty of the Mayor or President of Board of Trus-
2 tees as the case may be, in the name of such city, village or incorporated town
3 to enforce the provisions of this Act in the name of said city, village or incor-
4 porated town.



1 Introduced by Mr. McCarthy, May 11, 1921.

2 Read by title, ordered printed and referred to Committee on Judicial Depart-
ment and Practice.

A BILL

For an Act to amend "An Act in relation to practice and procedure in Courts of Record," approved June 3, 1907. In force July 1, 1907.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That an Act in relation to practice and
3 procedure in Courts of Record approved June 3, 1907, in force July 1, 1907, is
4 amended by repealing Section 120 thereof.



- 1 Introduced by Mr. Renschler, May 11, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend the title and Section 1 of an Act entitled, "An Act to authorize County Boards in Counties under township organization, to organize certain territory situated therein as a town," approved May 23, 1877, in force July 1, 1877, as amended by an Act approved May 15, 1903, in force July 1, 1903.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the title and Section 1 of an Act entitled, "An Act to authorize County Boards in Counties under township organization, to organize certain territory situated therein as a town," approved May 23, 1877, in force July 1, 1877, as amended by an Act approved May 15, 1903, in force July 1, 1903, be and the same are hereby amended to read as follows:

"An Act to authorize County Boards in Counties under township organization, to organize certain territory situated therein as a town, *and to provide for annexation of territory to and the disconnecting of territory from said town.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly:* That the county board, in any county under township
3 organization, may provide that the territory embraced within any city in such
4 county shall be organized as a town: *provided*, such territory shall have a pop-
5 ulation of not less than three thousand; and *provided* the city council in such
6 city shall, by resolution, request such action by the county board; and *pro-*
7 *vided, further*, that whenever the territory of any city of a population of not
8 less than fifteen thousand shall be composed of portions of two or more town-
9 ships, and shall by its council request, by resolution, the county board to or-
10 ganize it into a separate township, as aforesaid, and shall designate the name
11 thereof, it shall be the duty of the county board to comply with such request
12 and provide for such organization of said city into a new township under the
13 name designated in such resolution of said City Council. *And provided further*
14 *that whenever a town shall have been or shall hereafter be organized as herein*
15 *provided and any of the territory of such city of not more than one-half square*
16 *mile in extent and containing not more than fifty inhabitants shall at any one*
17 *time be discontinued from said city, it shall be the duty of the County Board*
18 *upon receipt of a certified copy of the resolution or ordinance of the city dis-*
19 *connecting such territory, by resolution to disconnect such territory from said*
20 *town and annex it to an adjacent town or towns, and whenever said city, at any*
21 *one time, shall have annexed or shall hereafter annex any territory of not*
22 *more than one-half square mile in extent and containing not more than fifty in-*
23 *habitants, it shall be the duty of the County Board, by resolution, to disconnect*
24 *such territory from the town or towns in which it may be situated and annex*
25 *the same to the town in which said city is situated."*

AMENDMENT TO

52d G. A.

HOUSE BILL NO. 791

1921



1 Adopted May 26, 1921.

AMENDMENT NO. 1.

Amend printed House Bill No. 791, on page 2, line 17, by striking out the
2 word “discontinued” and inserting in lieu thereof the word “disconnected.”



- 1 Introduced by Mr. Church, May 11, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to remove the legal disabilities of women, and to make them competent to hold public office, to sign all legal petitions, and to act as jurors.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* All the legal disabilities heretofore ex-
3 isting as to women are hereby removed, and all women who are legal voters
4 are hereby made eligible to hold any elective or appointive office, to sign all
5 legal petitions, and to act as jurors: *Provided, however,* that any woman who
6 is a mother of a child under ten years of age may claim exemption from such
7 service as a juror.



1 Introduced by Mr. Church, May 11, 1921.

2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Section 6 of "An Act to revise the law in relation to husband and wife," approved March 30, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 6 of "An Act to revise the law
3 in relation to husband and wife," approved March 30, 1874, in force July 1,
4 1874, is amended to read as follows:

Sec. 6. Contracts may be made and liabilities incurred by a wife, and the
2 same enforced against her, to the same extent and in the same manner as if
3 she were unmarried.



- 1 Introduced by Mr. Church, May 11, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Section 5 of "An Act in regard to evidence and depositions in civil cases," approved March 29, 1872, in force July 1, 1872, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 5 of "An Act in regard to evi-
3 dence and depositions in civil cases," approved March 29, 1872, in force July 1,
4 1872, as amended, is amended to read as follows:

Sec. 5. No husband or wife shall be rendered *incompetent* by reason of
2 marriage to testify for or against the other as to any transaction or conversa-
3 tion occurring during the marriage, whether called as a witness during the exist-
4 ence of the marriage or after its dissolution.



- 1 Introduced by Committee on Education, May 12, 1921.
- 2 Substitute for House Bill No. 683.
- 3 Read at large a first time, ordered printed and to a second reading.

A BILL

For an Act to amend "An Act concerning child labor and to repeal an Act entitled, 'An Act to regulate the employment of children in the State of Illinois, and to provide for the enforcement thereof,' approved May 15, 1903, in force July 1, 1903," approved June 26, 1917, in force July 1, 1917.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* "An Act concerning child labor and to
3 repeal an Act entitled, 'An Act to regulate the employment of children in the
4 State of Illinois, and to provide for the enforcement thereof,' approved May 15,
5 1903, in force July 1, 1903," approved June 26, 1917, in force July 1, 1917, is
6 amended to read as follows:

Sec. 1. No minor under the age of *fifteen* years shall be employed, per-
2 mitted or suffered to work at any gainful occupation in, for or in connection
3 with any theatre, concert hall or place of amusement, or any mercantile insti-
4 tution, store, office, hotel, laundry, manufacturing establishment, mill, cannery,

5 factory or workshop therefor, within the State. That no minor under the age
 6 of *fifteen* years shall be employed at any work performed for wages or other
 7 compensation, to whomsoever payable, during any portion of any month when
 8 the public schools of the school district, town, township, or village or city, in
 9 which he or she resides are in session, or be employed at any work before the
 10 hour of seven o'clock in the morning or after the hour of six o'clock in the
 11 evening. *Provided*, that no minor shall be allowed to work more than eight
 12 hours in any one day, nor more than six days in any one week: *Provided*, that
 13 nothing in this section shall be construed to prevent any minor under the age of
 14 *fifteen* years from doing voluntary work of a temporary and harmless character,
 15 for compensation, when school is not in session. *Nothing in this section shall*
 16 *be construed to prevent the employment of any minor over fourteen years of*
 17 *age who holds an eighth grade diploma or who shall present satisfactory evi-*
 18 *dence to the county superintendent of schools, or in appropriate cases to the city*
 19 *superintendent of schools, that he or she has completed sufficient work to entitle*
 20 *him or her to an eighth grade diploma.*

Sec. 2. It shall be the duty of every person, firm or corporation, agent or
 2 manager, superintendent or foreman, of any firm or corporation, employing
 3 minors over the age of *fifteen* and under the age of *seventeen* years, for or in
 4 connection with any theatre, concert hall or place of amusement, or any mercan-
 5 tile institution, store, office, hotel, laundry, manufacturing establishment, mill,
 6 cannery, factory or workshop within this State, to keep a register in said
 7 theatre, concert hall or place of amusement, or in said mercantile institu-
 8 tion, store, office, hotel, laundry, manufacturing establishment, mill, cannery, fac-
 9 tory or workshop in or for or in connection with which said minors shall be
 10 employed or permitted or suffered to work, in which register shall be recorded
 11 the name, age and place of residence of every minor employed or suffered or
 12 permitted to work therein, or therefor, or in connection therewith, over the age
 13 of *fifteen* and under the age of *seventeen* years; and it shall be unlawful for any

14 person, firm or corporation, agent or manager, superintendent or foreman of
15 any firm or corporation to hire or employ or to permit or suffer to work in or
16 for or in connection with any theatre, concert hall or place of amusement, or
17 any mercantile institution, store, office, hotel, laundry, manufacturing establish-
18 ment, mill, cannery, factory or workshop, any minor over the age of *fifteen* and
19 under the age of *seventeen* years, unless there is first procured and placed on
20 file in such theatre, concert hall or place of amusement, or in such mercantile
21 institution, store, office, hotel, laundry, manufacturing establishment, mill, can-
22 nery, factory or workshop, an employment certificate issued as hereinafter pro-
23 vided and accessible to the authorized officers or employees of the Department
24 of Labor, *and to the truant officers or other school officials charged with the*
25 *enforcement of the compulsory education law.*

Sec. 3. Every person, firm or corporation, agent or manager, superintend-
2 ent or foreman of a corporation, employing or permitting or suffering to work
3 five or more minors over the age of *fifteen* and under the age of *seventeen*
4 years, in or for or in connection with, any theatre, concert hall or place of
5 amusement, or any mercantile institution, store, office, hotel, laundry, manufac-
6 turing establishment, mill, cannery, factory or workshop, shall post and keep
7 posted in a conspicuous place in every room in or in connection with which such
8 help is employed, or permitted or suffered to work, a list containing the name,
9 age and place of residence of every minor over the age of *fifteen* and under the
10 age of *seventeen* years, employed, permitted or suffered to work in or in connec-
11 tion with such room.

Sec. 4. An employment certificate shall be issued only by the superintendent
2 of schools or by a person authorized by him in writing; or where there is no
3 superintendent of schools, by a person authorized by the school board or other
4 local school authority *or in counties of the first and second classes during a*
5 *period when school is not in session by the county superintendent of schools:*
6 Provided that no member of a school board or other person authorized as afore-

7 said, shall have authority to issue such certificates for any minor then in or
 8 about to enter his own establishment, or the employment of a firm or corpora-
 9 tion of which he is a member, officer or employee. The person issuing these
 10 certificates shall have authority to administer the oaths provided for herein, but
 11 no fee shall be charged therefor. It shall be the duty of the school board or local
 12 school authority, to designate a place or places (connected with their offices
 13 when practicable), where certificates shall be issued and recorded, and physical
 14 examinations made without fee, as hereinafter provided, and to establish and
 15 maintain the necessary records and clerical service for carrying out the provi-
 16 sions of this Act.

Sec. 5. The official authorized to issue an employment certificate to any
 2 minor shall issue such certificate only upon the application in person of the
 3 minor desiring employment, accompanied by the parent, guardian or custodian
 4 of such minor and after having received, examined and approved the following
 5 papers, namely:

- 6 (a) A school record, as hereinafter provided.
- 7 (b) A certificate of physical fitness, as hereinafter provided.
- 8 (c) Proof of age, as hereinafter provided.
- 9 (d) A statement signed by the prospective employer, or by someone duly
 10 authorized on his behalf, stating that he expects to give such minor present em-
 11 ployment, and setting for the character of the same, and the number of hours
 12 per day and of days per week, which said minor shall be employed.

13 For the issuance of an employment certificate, the school record required by
 14 this Act shall be filled out and signed by the principal of the school, public or
 15 private or parochial, which the minor has last attended, or by someone duly
 16 authorized by him, *or during vacation by the county superintendent of schools*
 17 *in counties of the first and second classes*, and shall be furnished to any minor
 18 who may be entitled thereto. It shall certify that the said minor is able to read
 19 and write legibly, simple sentences in the English language and has completed

a course of study equivalent to the work prescribed for the first *six* years of the public elementary schools, in spelling, reading, writing, arithmetic to and including fractions, geography and history, and has attended school for at least 130 days during the year preceding the date of his application for his first employment certificate, or between his *fourteenth* and *fifteenth* birthdays. Such school record shall also give the full name, date of birth, and residence of the minor, and the name and residence of the parent, guardian or custodian, as shown on the records of the school.

28 The school record shall be in the following form:

29 SCHOOL RECORD.

30 Name of Parent or Guardian or Custodian

31 Residence of Parent or Guardian or Custodian

32 Name of Minor.....

33 Residence of Minor.....

34 Date of birth of Minor.....

35 Signature of Minor.....

36 I hereby certify that the above named minor is able to read and write
37 legibly simple sentences in the English language; that he has completed the
38 work of the.....grade in the.....school (location);
39 that he has completed a course of study equivalent to the work prescribed for
40 the first six years of the public elementary school in spelling, reading, writing,
41 arithmetic to and including fractions, geography and history, and that he has
42 attended school for.....days during the year preceding this date, or between
43 his thirteenth and fourteenth birthdays.

44
45 Signature of Principal.

46 The certificate of physical fitness required by this Act for any minor shall
47 be signed by a physician appointed by the Municipal Health Department, the
48 board of education, or other local school authority, and shall state that the said
49 minor has been thoroughly examined by the said physician at the time of his appli-

50 cation for an employment certificate, and is physically qualified for the employ-
 51 ment specified in the statement submitted in accordance with the requirements
 52 of this section.

53 The evidence of age required by this Act shall consist of one of the follow-
 54 ing proofs of age, which shall be required in the order herein designated:

55 (a) A duly attested transcript of the birth certificate, furnished free by
 56 the State, filed according to law with a registrar of vital statistics, or other officer
 57 charged with the duty of recording birth; or,

58 (b) A baptismal certificate or transcript of the record of baptism, duly
 59 certified, and showing the date of birth, and place of baptism; or,

60 (c) A passport showing the age of the minor; or,

61 (d) In case none of the aforesaid proofs of age shall be obtainable, and
 62 only in such case, the issuing officer may accept, in lieu thereof, other docu-
 63 mentary record of age (such as official certificate of arrival in the United States,
 64 bona fide Bible record, confirmation certificate or life insurance policy which are
 65 at least one year old at the time of the minor's application for the permit), or
 66 transcript thereof, duly certified, which shall appear to the satisfaction of the
 67 issuing officer to be good and sufficient evidence of age; or, in case none of the
 68 aforesaid proofs of age shall, in the judgment of the officer having power to
 69 issue employment certificates be obtainable, such officer may accept in lieu there-
 70 of a written statement signed by the head teacher or principal of the public or
 71 private school which such child has attended, certifying that he or she was in
 72grade, and can read and write legibly simple sentences in English, and
 73 further certifying the name, age, place and date of birth of such child as shown
 74 by the official records of such school for at least two years during the period such
 75 minor was in attendance thereat; or,

76 (e) In case none of the aforesaid proofs of age shall be obtainable, and in
 77 such cases only, the issuing officer may accept, in lieu thereof, the signed state-
 78 ment of two physicians, at least one of whom shall be a public health officer or

79 public school physical inspector, stating that they have separately examined the
80 minor and that in their opinion the minor is at least *fifteen* years of age.

Sec. 6. All employment certificates shall be issued in triplicate, one of which
2 shall be forwarded by mail by the issuing officer to the prospective employer of
3 the minor for whom the employment certificate is issued, and another of which
4 shall be forwarded to the properly authorized officer of the Department of Labor,
5 and a third *or the facts contained on it* shall be filed in the issuing office.

6 Whenever an employment certificate shall be refused to a minor, the name
7 and present address of such minor, and the school record issued to such minor,
8 shall be forwarded by the official refusing to issue the certificate to the principal
9 of the school which such minor should attend, or to the compulsory attendance
10 or truant officer.

11 In any prosecution for a violation of this Act, the employment certificate
12 shall be admissible as prima facie evidence of the facts set forth therein.

13 Any explanatory matter may be printed upon such certificate in the discre-
14 tion of the board of education or other local school authority.

15 The employment certificate shall be signed by the officer duly authorized by
16 the Board of Education or other local school authority and by the minor and
17 shall be in the following form:

18 The office of.....(City..... (State).....

19 EMPLOYMENT CERTIFICATE.

20 This certifies that I have made a careful examination of all the proofs,
21 documentary and otherwise, required by section 5 of an Act entitled, "An Act
22 concerning child labor," approved.....and in force.....for
23(name of minor), and find the following:

24 (a) That the above named minor can read and write legibly simple sen-
25 tences in the English language, and has completed the work of the.....
26 grade in the.....school, and that he has attended school at least 130
27 days during the year previous to this date, or between his *fourteenth* and *fif-*
28 *teenth* birthdays.

29 (b) That the above named minor is physically fit to do the work specified
 30 in the statement submitted in accordance with the requirements of section 5 of
 31 the aforesaid Act; and that his height is (feet and inches).....weight
 32, complexion (fair or dark)....., hair (color).....

33 (c) That he or she was born at (city, state or country)....., on the
 34day of.....19..., as shown by.....

35 (d) That (name of employer)..... of (address).....
 36 has promised the said minor present employment at (character of the work)
 37for.....hours per day and.....days per week.

38 Officer duly authorized by the superintendent of the board of education (or
 39 other local school authority) of.....(city), to issue employment certificates.

40 This certificate belongs to the board of education (or other local school
 41 authority) and is to be returned to this office within three days after (name of
 42 minor) leaves the service of the employer holding the same.

Sec. 7. It shall be the duty of every person who shall employ any minor
 2 under the age of *seventeen* years to acknowledge in writing to the official issu-
 3 ing the same, the receipt of the employment certificate, within three days after
 4 the beginning of such employment. On termination of the employment of a
 5 minor under the age of *seventeen* years the employment certificate issued to such
 6 minor shall be returned by mail, by the employer to the official issuing the same,
 7 immediately on the demand of the minor for whom the certificate was issued, or
 8 otherwise, within three days after the termination of said employment. The
 9 official to whom the certificate is so returned shall file said certificate, and
 10 notify the compulsory attendance or truant officer. Any minor whose certificate
 11 has been returned as above provided, shall be entitled to a new employment
 12 certificate upon presentation of a statement from a prospective employer, as
 13 hereinabove provided, accompanied by a certificate of physical fitness issued in
 14 a manner as hereinabove provided and based upon a re-examination of the
 15 minor, and certifying that the minor is physically fit to undertake the work speci-

16 filed in the statement submitted in accordance with the requirements of section 5
17 of this Act.

Sec. 8. The Department of Labor, through its authorized officers or em-
2 ployees, shall visit all theatres, concert halls or places of amusement, all mer-
3 cantile institutions, stores, offices, hotels, laundries, manufacturing establish-
4 ments, mills, canneries, factories or workshops, and all other places where minors
5 are or may be employed, in this State, and ascertain whether any minors are
6 employed contrary to the provisions of this Act. Such officers and employees
7 may require that employment certificates, and all lists of minors employed in,
8 or for or in connection with such theatres, concert halls or places of amusement,
9 and such mercantile institutions, stores, offices, hotels, laundries, manufacturing
10 establishments, mills, canneries, factories or workshops and all other places
11 where minors are employed, as provided for in this Act, shall be produced for
12 for their inspection on demand.

13 *And, provided,* that upon written complaint to the school board or other
14 local school authorities of any city, town, district, or municipality, that any
15 minor (whose name shall be given in such complaint) is employed in, or for or
16 in connection with any theatre, concert hall or place of amusement, or any mer-
17 cantile institution, store, office, hotel, laundry, manufacturing establishment,
18 mill, cannery, factory or workshop, contrary to the provisions of this Act, it
19 shall be the duty of such school board or other local school authorities, to report
20 the same to the Department of Labor.

Sec. 9. No person under the age of *seventeen* years shall be employed or
2 suffered or permitted to work at any gainful occupation more than six days
3 in any one week, nor more than eight hours in any one day; or before the hour
4 of seven o'clock in the morning, or after the hour of seven o'clock in the even-
5 ing. Every employer shall post in a conspicuous place in every room where
6 such minors are employed, a printed notice stating the hours required of them
7 each day of the week, the hours of commencing and stopping work, and the

8 hours when the time or times allowed for dinner or for other meals, begins and ends. The printed form of such notice shall be furnished by the Department of Labor, and the employment of any such minor for longer time in any day so stated, or more than six days in any one week, shall be deemed a violation of this section.

Sec. 10. No minors under the age of *seventeen* years shall be employed at sewing belts, in any capacity whatever; nor shall any minors adjust any belt to any machinery; they shall not oil or assist in oiling, wiping or cleaning any machinery; they shall not operate or assist in operating circular or band-saws, wood-shapers, wood-joiners, planers, sand-paper or wood-polishing machinery, emery or polishing wheels used for polishing metal, wood-turning or boring machinery, stamping machines in sheet-metal and tinware manufacturing, stamping machines in washer and nut factories, corrugating rolls, such as are used in roofing factories, nor shall they be employed in operating or assisting to operate any passenger or freight elevator, steam-boiler, steam machinery or other steam generating apparatus; they shall not operate or assist in operating dough breaker or cracker machinery of any description; wire or iron straightening machinery; nor shall they operate or assist in operating rolling mill machinery, punches or shears, washing, grinding or mixing mill or calendar rolls in rubber manufacturing; nor shall they operate or assist in operating laundry machinery; nor shall minors under the age of *seventeen* years be employed in any mine or quarry; nor shall they be employed in any capacity in preparing any composition in which dangerous or poisonous acids are used, and they shall not be employed in any capacity in the manufacture of paints, colors or white lead; nor shall they be employed in any capacity whatever in any employment that *the Director of Labor* finds to be dangerous to their lives or limbs, or where their health may be injured or morals depraved; nor in any bowling alley, nor in any theatre, concert hall or place of amusement wherein intoxicating liquors are sold; nor shall any females under the age of *seventeen* years be employed in

25 any capacity where such employment requires them to remain standing for and
26 during the performance of their work.

Sec. 11. The presence of any minor under the age of *seventeen* years in any
2 manufacturing establishment, factory or workshop, or in any other place in
3 which such minor is by this Act prohibited from working shall constitute
4 *prima facie* evidence of his or her employment therein.

Sec. 12. It shall be the special duty of the Department of Labor to enforce
2 the provisions of this Act, and to prosecute all violations of the same before
3 any magistrate or any court of competent jurisdiction in this State. It shall
4 be the duty of the authorized officers and employees of the Department of
5 Labor, and they are hereby authorized and empowered, to visit and inspect, at
6 all reasonable times and as often as possible, all places covered by this Act.
7 *Truant officers and other school officials authorized by the Board of Educa-*
8 *tion or school directors may enter any place in which children are, or are be-*
9 *lieved to be employed and inspect the work certificates on file. It shall be the*
10 *duty of such truant officers or other school officials to file complaints against any*
11 *employer found violating the provisions of this Act.*

Sec. 13. Whoever having under his control a minor under the age of *seven-*
2 *teen* years, permits such minor to be employed in violation of the provisions
3 of this Act, shall for each offense be fined not less than \$5.00 nor more than
4 \$25.00, and shall stand committed until such fine and costs are paid.
5 Every person authorized to sign any of the certificates prescribed by Section
6 5 and Section 6 of this Act, who certifies to any materially false statement there-
7 in, shall be guilty of a violation of this Act, and upon conviction thereof, shall
8 be fined not less than \$5.00 nor more than \$100.00 for each offense, and shall
9 stand committed until such fine and costs are paid.

10 A failure to produce to the authorized officers or employees of the Depart-
11 ment of Labor, or to the school attendance officers, any employment certificate
12 or list required by this Act, shall constitute a violation of this Act.

13 Any person, firm or corporation, agent or manager, superintendent or fore-
14 man of any firm or corporation, whether for himself or for such firm or corpora-
15 tion, or by himself or through sub-agent, or manager, superintendent or fore-
16 man, who shall violate or fail to comply with any of the provisions of this Act,
17 or shall refuse admittance to premises or otherwise obstruct the officers or em-
18 ployees of the Department of Labor, in the performance of their duties as pre-
19 scribed by this Act, shall be deemed guilty of a misdemeanor and upon con-
20 viction thereof, shall be fined not less than \$5.00 nor more than \$200.00 for each
21 offense, and shall stand committed until such fine and costs are paid.

Sec. 14. No provision of this Act shall be construed so as to deprive any
2 minor under the age of *seventeen* years who is *lawfully* employed *on the first of*
3 *July, 1921*, of that employment or other employment.

Sec. 15. The invalidity of any portion of this Act shall in no way affect
2 the validity of any other portion thereof which can be given effect without such
3 invalid part.

Sec. 16. "An Act to regulate the employment of children in the State of
2 Illinois, and to provide for the enforcement thereof," approved May 15, 1903, and
3 in force July 1, 1903, and all other Acts and parts of Acts in conflict with this
4 Act are hereby repealed.



1 Adopted June 2, 1921.

AMENDMENT NO. 1.

Amend printed House Bill No. 795, on page 2, Section 1, by striking out
2 all of that section after the word "session" in line 15.



1 Adopted May 26, 1921.

AMENDMENT NO. 1.

Amend printed House Bill no. 795, on page 2, Section 1, by adding at the
2 end of that section the following sentence: *“The employment of children
3 over fourteen and under fifteen years of age who have completed the eighth
4 grade shall be subject to the general provisions of this Act with reference to the
5 employment of children between fifteen and seventeen years of age.”*

AMENDMENT NO. 2.

Amend printed House Bill no. 795, on page 3, Section 4, lines 4 and 5, by
2 striking the words *“a period when school is not in session”* and substituting in
3 lieu thereof the word *“vacation.”*

AMENDMENT NO. 3.

Amend printed House Bill no. 795, on page 10, Section 10, line 21, by strik-
2 ing the word *“Director”* and substituting in lieu thereof the word *“Depart-
3 ment.”*

AMENDMENT NO. 4.

Amend House Bill No. 795, by striking out the word *“fifteen”* wherever it
2 occurs and by inserting in lieu thereof the word *“fourteen.”*

AMENDMENT NO. 5.

Amend House Bill No. 795, by striking out the word *“seventeen”* wherever it
2 appears in the bill, and insert in lieu thereof the word *“sixteen.”*



- 1 Introduced by Committee on Farm Drainage, May 12, 1921.
- 2 Read at large a first time, ordered printed and to a second reading.

A BILL

For an Act to provide for the construction, reparation and protection of drains, ditches and levees, across the lands of others, for agricultural, sanitary and mining purposes, and to provide for the organization of drainage districts, and to revise the law in reference thereto.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That this Act shall be known as "The
3 Revised Levee Act."

ARTICLE I.

ORGANIZATION.

Sec. 2. PETITION ORGANIZING DRAINAGE DISTRICTS.] Whenever a majority of
2 the owners of land within a district proposed to be organized who shall have
3 arrived at a lawful age, and who represent at least one-third in area of said
4 land, or whenever one-third or more of the owners of lands within a district pro-
5 posed to be organized who shall have arrived at lawful age and who represent
6 a major portion in area of said lands, said majorities being hereinafter termed

7 the requisite majority, desire to construct drains ,ditches, levees or other work
 8 to be known in this Act as a “drainage and levee district,” or “drainage and
 9 levee work,” across the lands of others for agricultural, sanitary or mining pur-
 10 poses, or to maintain and keep in repair any such drains, ditches or levees
 11 heretofore constructed under any law of this State, or to establish in said dis-
 12 trict a combined system of drainage or protection from overflow, independent of
 13 levees, for said purposes, and maintain the same by special assessment upon the
 14 property benefited thereby, such owners may file in the county court or circuit
 15 court, as hereinafter provided, of the county in which the largest acreage of
 16 the lands so proposed to be organized into drainage district lies, a petition
 17 signed by the requisite number of landowners owning the required area of said
 18 proposed drainage district as in this section provided, setting forth:

- 19 1. The proposed name of the said drainage district;
- 20 2. The necessity of the same;
- 21 3. A general description of the lands proposed to be affected;
- 22 4. A general description of the proposed work.
- 23 5. The names of the owners, when known; and
- 24 6. A prayer for the organization of a drainage district, by the name and
 25 boundaries proposed and for the appointment of commissioners under this Act.

Sec. 3. NOTICE OF FILING PETITION.] Such petition being filed, the clerk of
 2 said county court, or circuit court, shall cause three weeks' notice of the presen-
 3 tation and filing of such petition to be given, addressed “to all persons inter-
 4 ested,”

5 (a) By posting notices thereof at the door of the court house of the county
 6 or counties in which the district is situated,

7 (b) And in at least ten (10) of the most public places in such proposed
 8 district,

9 (c) And also by publishing a copy thereof at least once a week for three
 10 (3) successive weeks in some newspaper published in the county in which the
 11 largest acreage of the proposed district lies.

12 Such notice shall state:

13 1. When and in what court the said petition was and is filed,

14 2. The boundaries and name of the proposed drainage district (but no de-
15 scription of drains or ditches need be given),

16 3. And the day and term of the said court when petitioners will ask a hear-
17 ing of said petition.

18 If any of the landowners of said district are not residents of the county or
19 counties in which the proposed district will lie, the petition shall be accompanied
20 by or shall include an affidavit giving the names and places of residence of such
21 non-residents, if known, and if unknown, stating that, upon diligent inquiry
22 their places of residence cannot be ascertained; and the clerk shall send a copy
23 of the notice aforesaid to each of said non-residents, whose residence is known,
24 within five (5) days after the first publication of the same. The certificate of
25 the clerk or publisher or the affidavit of any other credible person affixed to a
26 copy of said notice shall be sufficient evidence of the mailing, publication and
27 posting of said notices.

Sec. 4. JURISDICTION OF COURTS.] The county court in which said petition
2 shall be filed may hear the petition at any probate or common law term, and
3 may determine all matters pertaining thereto, and all subsequent proceedings
4 of the district when organized under this Act, and may adjourn the hearing
5 from time to time, or continue the case for want of sufficient notice, or other
6 good cause. The court, upon application of the petitioners, shall permit the pe-
7 tition, affidavit and orders to be amended, and no petitioner shall have the
8 right to withdraw from said petition, except by the consent of the majority of
9 the other petitioners thereon, or where it shall be shown to the satisfaction of
10 the court that the signature of the petitioner was obtained by fraud or misrep-
11 resentation.

12 The circuit courts of this State, and the superior courts of Cook County,
13 are hereby given concurrent jurisdiction with county courts in all other mat-
14 ters pertaining to the organization of drainage districts, and drainage and

15 levee districts, and the operation thereof; and the clerk of the circuit court
 16 shall, when the proceeding is pending in such court, do and perform in the
 17 premises each and all duty or duties required by the clerk of the county court in
 18 drainage and levee matters, when such proceedings are pending therein; and
 19 all reports, complaints, oaths, affirmations, confirmations and returns, in such
 20 matters required to be made to the county courts shall be made in the circuit
 21 courts of this state, and the superior courts of Cook County, when the proceed-
 22 ing is pending therein. Wherever the words "county court", "court", "clerk
 23 of the county court", or "clerk" are used in this Act they shall be held to refer
 24 to the circuit court, superior courts of Cook County or the clerks of said courts,
 25 where applicable.

26 The several judges of the circuit courts of this state and the superior
 27 courts of Cook County are hereby given jurisdiction in vacation to make all
 28 necessary orders and hear and determine any and all matters pertaining to the
 29 organization of drainage districts and drainage and levee districts, and the op-
 30 eration thereof, the same as in term time. Any order so made shall be signed
 31 by the judge making it and filed and entered of record by the clerk of the court
 32 in which the proceeding is had, and from the date of such filing shall have like
 33 force and effect as if made at a regular term of such court.

34 Appeals may be taken from the final orders, judgments and decrees of
 35 either the county or circuit courts to the Supreme Court.

Sec. 5. HEARING—COMMISSIONERS—PRELIMINARY EXPENSES.] On the hearing
 2 of any petition filed under the provisions of this Article, all parties through,
 3 or upon whose land any of the proposed work may be constructed, or whose
 4 lands may be damaged or benefitted thereby, may appear and contest the neces-
 5 sity or utility of the proposed work, or any part thereof, and the contestants and
 6 petitioners may offer any competent evidence in regard thereto.

7 It shall be the duty of the court to hear and determine two things:

8 1. Whether the petition contains the signatures of the requisite majority
9 of landowners (1/3 adult owners owning majority in area or majority of adult
10 owners owning 1/3 of area), and

11 2. Whether the proposed drains, ditches, levees, or other works are neces-
12 sary or will be useful for agricultural, sanitary or mining purposes.

13 The affidavit of any three (3) or more of the signers of the petition that
14 they have examined the petition and are acquainted with the locality of said dis-
15 trict, and that said petition is signed either

16 (a) By a majority of such owners who are of lawful age, who represent
17 at least one-third (1/3) in area of the lands, or

18 (b) By at least one-third of the owners of land who are of lawful age and
19 who represent a major part in area of the lands in the proposed district,
20 may be taken by the court as *prima facie* evidence of the facts stated therein,
21 or evidence under oath of such facts may be heard in open court or by the affi-
22 davit or affirmation of any person properly taken, giving the age of such party,
23 his or her ownership of lands to be named therein, and such oath, affirmation
24 or affidavit shall be sufficient evidence to the court of such facts.

25 *Provided*, That all deeds made for the purpose of establishing or defeat-
26 ing the prayer of said petition, not made in good faith and for a valuable con-
27 sideration, shall be taken and held to be in fraud of the provisions of this Act,
28 and the holders thereof shall not be considered as owners thereof.

29 An estate owned by tenants in common or joint tenants and an estate in
30 which there is a life interest and a reversion or remainder in fee shall be re-
31 garded as one estate and all of the owners thereof shall together be considered
32 as one owner in the organization of a district, or for other purposes under the
33 provisions of this Act. A majority of such parties shall control the manner in
34 which a tract of land shall be counted.

35 It the court finds that the petition is not signed by the requisite majority,
36 or if the court finds that no drainage or reclamation work is necessary, the
37 petition shall be dismissed at the cost of petitioners.

38 If the court after hearing all competent evidence shall determine that the
 39 petition is signed by the requisite majority, the court shall so find, and such find-
 40 ing shall be conclusive upon the land owners that they have assented to and
 41 accepted the provisions of this Act and any amendments that may be made
 42 thereto; and if the court further determines that the proposed ditches, levees
 43 or other works, are necessary or will be useful for the reclamation of the lands
 44 proposed to be drained thereby for agricultural, sanitary or mining purposes,
 45 the court shall so find, and appoint three (3) competent persons as commission-
 46 ers, each of whom shall hold office until his successor is appointed, as hereaf-
 47 ter provided, to lay out and plan such proposed work and for such purposes
 48 they are authorized to borrow the necessary funds.

Sec. 6. The commissioners shall take an oath, organize, give bonds and
 2 conform as far as possible to the provisions of Article IX herein.

Sec. 7. COMMISSIONERS TO EXAMINE LAND — REPORT.] Immediately after
 2 their appointment the commissioners shall examine all the land proposed to be
 3 drained or protected and the lands over or upon which the work is proposed to
 4 be constructed and determine:

5 *First*—If drainage and levee work is proposed in the petition, whether the
 6 proposed work and the proposed location thereof is in all respects proper and
 7 feasible; and if not, what is so.

8 *Second*—What lands will be injured by the proposed work, and the prob-
 9 able aggregate amount of all damages such lands will sustain by reason of the
 10 laying out and construction of such work.

11 *Third*—What lands will be benefited by the construction of the proposed
 12 work, and whether the aggregate amount of benefits will equal or exceed the cost
 13 of constructing such work, including all incidental expenses, costs of proceedings
 14 and damages.

15 *Fourth*—Whether the proposed district, as set out in the petition filed, will
 16 embrace all the lands that may be damaged or benefited by the proposed work;

17 and if not, to report what additional lands will be so affected; or whether it
18 will include lands that will not be benefited, and are not necessary to be included
19 in the district for any purpose, describing such lands, if any.

20 *Fifth*—The probable cost of the work recommended, including all inci-
21 dental expenses, and the cost of the proceedings therefor.

22 *Sixth*—The probable annual cost of keeping the same in repair after the
23 work is completed.

Sec. 8. DISMISSAL OF PROCEEDINGS] If the commissioners shall find that such
2 costs, expenses and damages are more than equal to the benefits which may
3 inure to the lands in general of said district, by reason of the proposed work,
4 they shall so report, and the proceedings shall be dismissed at the cost of the
5 petitioners, including all expenses lawfully incurred by the commissioners.

Sec. 9. SURVEYS, PROFILES, ETC.] If the commissioners shall find that the
2 proposed work, or such portion of the same as will be satisfactory to the peti-
3 tioners and work of a like nature on lands they propose to annex to said district,
4 can be done at a cost and expense not exceeding such benefits, they shall proceed
5 to have the proper surveys, profiles, plats, plans and specifications thereof made,
6 and they shall report the starting point, route and termini of the levees, ditches,
7 or drains, or other work, and the dimensions of the same, and what ditches or
8 parts thereof, should be open or tiled, and the size of tile, if any is required, and
9 shall report their conclusions and a copy of such surveys, profiles, plats, plants
10 and specifications to the court which appointed them.

Sec. 10. ALTERATION OF PLANS—BOUNDARIES—PROVISO.] The commissioners
2 shall not be confined to the point of commencement, route or termini of the
3 drains or ditches or to the number, extent or the size, or the manner of con-
4 structing of the same, or the location, plan or extent of any levee, ditch or other
5 work to that proposed by the petitioners, but shall locate, design, lay out, and
6 plan the same in such manner as they shall think will drain or protect the peti-
7 tioners' lands with the least damage and greatest benefit to all lands to be

8 affected thereby; and any plans, ditches, drains or other work proposed by the
 9 commissioners may, on the application of any person interested, or the commis-
 10 sioners, be altered or additional drains or other work shall be established by
 11 order of the court in such manner as shall appear to the court to be just. If the
 12 commissioners find that the proposed district, as described in the petition filed,
 13 will not embrace all the lands that will be benefited by the proposed work, or
 14 that it will include lands that will not be benefited, and not necessary to be in-
 15 cluded in said district for any purpose, they may extend or contract the boun-
 16 daries of the proposed district, so as to include or exclude all such lands, as
 17 the case may be, and the boundaries adopted and reported by said commission-
 18 ers may at any time before the court declares the district established, upon the
 19 application of the commissioners, or of any person interested, be altered by
 20 the court in such manner as shall appear to the court to be just; and the court
 21 may change the name of the district or proposed district at the same time in
 22 the same order establishing a drainage district: *Provided*, the alteration of
 23 boundaries as aforesaid shall not have the effect of so far enlarging or contract-
 24 ing the proposed district that the petitioners will not longer constitute a ma-
 25 jority of the adult owners of the lands in said proposed district, who represent
 26 at least one-third of its area, or who constitute at least one-third of the adult
 27 land owners of the lands therein situated who represent a major portion in area
 28 of the lands therein.

Sec. 11. CONTINUANCES—FILING REPORT — NOTICE WHERE ADDITIONAL LANDS
 2 EMBRACED CONTESTING CONFIRMATION OF REPORT.] After the appointment of the
 3 commissioners as provided in Section five (5) of this act, the cause shall be
 4 continued by the court to a day for the filing of their report, and in the event
 5 said commissioners are not ready to report on the day fixed, they may appear
 6 before the court and obtain a continuance or continuances until said report is
 7 ready to be filed, but such continuance or continuances shall in each instance be
 8 to a day certain and all persons interested shall take notice of any such continu-
 9 ance or continuances. Upon said report being filed with the clerk of the court

10 appointing such commissioners, the court shall fix a day not less than ten days
11 nor more than four weeks from the filing thereof, for the hearing thereon: *Pro-*
12 *vided*, that in case the commissioners shall recommend that additional lands be
13 embraced in the proposed district, the owner or owners of such lands shall be
14 given notice by the commissioners, in the manner and for the time provided by
15 section three (3) of this Act, of the hearing on said report. At the time of the
16 hearing all persons may appear and contest the confirmation of said report or
17 show that additional drains, ditches or other work should be constructed, or that
18 the report ought to be modified in any particular, and may offer any competent
19 evidence in support thereof; and the said report of said commissioners shall be
20 *prima facie* evidence of the facts therein set forth.

Sec. 12. CONFIRMATION — REVIEW — MODIFICATION.] If upon the hearing the
2 court shall be of the opinion that the objections are not well taken, or if no
3 objection shall be made, it shall order the confirmation thereof. If it shall appear
4 that additional ditches, drains and outlets not named in the report, are neces-
5 sary, or that the report ought to be modified in any particular, and the court
6 shall be sufficiently informed in the premises, it shall modify the same to con-
7 form to the equities in the premises; or if not sufficiently informed, it shall
8 order the commissioners to review and correct their report; and may make spe-
9 cific directions in what respect they shall reform their report; and the court may
10 make all necessary orders in the premises, either for the continuance of the
11 hearing or other lawful purposes.

Sec. 13. REFERRING REPORT—ADJOURNMENT.] If the report be referred back
2 to the commissioners for amendment, the court shall fix a day when the com-
3 missioners shall again present their report, in which case the hearing shall
4 stand adjourned to that day, and no further notice shall be required thereof.

Sec. 14. ORDER OF CONFIRMATION.] If, after hearing all objections, if any,
2 to the report of the commissioners, and all applications, if any, to annex other

3 lands to the proposed district, the court finds that a drainage or levee district
 4 should be organized, the plat of the same shall be recorded and an order be
 5 made according to the findings of the court, substantially as follows:

6 County Court of.....County,Term, A. D. 19...

7 In the matter of the petition of (here insert names of the petitioners). This
 8 day the report of.....commissioners heretofore
 9 appointed by this court to examine the lands proposed to be drained or pro-
 10 tected and the lands over which the work is proposed to be constructed) if
 11 additional lands are recommended by the commissioners to be brought into the
 12 proposed district, insert here the giving of notice to the owners of such land,
 13 as required in section eleven of this Act) having been filed, and said report
 14 having been set down for hearing in the manner required by law, and the court
 15 having duly examined said report and having heard evidence concerning the
 16 same, and considered all objections to the same, it is ordered by the court that
 17 the report of said commissioners (or, if said report has been modified by the
 18 court, as modified by the court) be and the same is hereby confirmed; and the
 19 court further finds that the proposed work in said petition to be done will be
 20 useful for agricultural, sanitary or mining purposes to the owners of land within
 21 said proposed district; and the court also finds that the persons who have
 22 signed said petition are of lawful age and are a majority of the adult land
 23 owners, representing at least one-third in area (or one-third of the adult land
 24 owners owning a major portion as the case may be) of the land to be affected
 25 by such proposed work. And the court further finds that the said drainage dis-
 26 trict of the corporate name mentioned in said petition, viz.....
 27 bounded as follows,.....is duly established as provided
 28 by law.

29
 30County Judge.

Sec. 14a. If the court finds that a drainage or levee district should not be
 2 organized, the proceedings shall be dismissed at the cost of the petitioners,

3 said costs to include all legitimate expenses and obligations incurred by the
4 commissioners.

Sec. 15. NATURE OF DRAINAGE DISTRICT.] And upon entering such order of
2 record, said district is hereby declared by law to be organized as a drainage
3 district under the name mentioned in the above order, and with the boundaries
4 fixed by the order confirming the report of the said commissioners, and said
5 district is hereby declared to be a body politic and corporate, by the name
6 mentioned in said order of court, with the right to sue and be sued, and to
7 have perpetual succession, and may adopt and use a corporate seal; and the
8 commissioners appointed as aforesaid and their successors in office shall, from
9 the entry of such order of confirmation, constitute the corporate authorities
10 of such drainage district, and shall exercise the functions conferred upon them
11 by law.

Sec. 16. APPEALS OR WRIT OF ERROR.] Said order shall be final, and sepa-
2 rate or joint appeals and writs of error may be taken to the Supreme Court
3 by the parties affected thereby: *Provided*, the granting of an appeal or writ
4 of error to one or more persons, or the reversal of said order upon such ap-
5 peal or writ of error by such person or persons separately or jointly shall not
6 impair nor invalidate said organization as to all other persons not appealing
7 nor suing out such writs, nor shall such appeal or writ of error delay the
8 work or proceedings so far as it affects the lands of such other persons. Nor
9 shall it be a valid ground of objection on the part of any land owner upon
10 said hearing, or upon an appeal from said order, or upon any writ of error
11 attacking the said order, that any owner of other land has not received suffi-
12 cient notice of the said proceedings, or that the said order is invalid as to the
13 said owner of other lands; but such other owners and lands may be thereafter
14 brought into and included in the said district, and assessed therein under the
15 provisions of sections thirty-eight (38), thirty-nine (39) and forty-three (43)
16 of this Act, when such other lands should properly be included in said district.

ARTICLE II.

THE FIRST ASSESSMENT.

Sec. 17. AGREEMENTS AS TO DAMAGES—ASSESSMENT ROLL.] After the order
 2 provided for in Section 14 shall have been signed the commissioners shall pro-
 3 ceed to acquire the right of way and release of damages for the construction
 4 of the proposed work, by agreement with the land owners, including the corporate
 5 authorities of any public or private corporation affected, so far as they may be
 6 able to agree with said land owners, and to make out an assessment roll in which
 7 shall be set down in proper columns:

- 8 1. The names of the owners, when known.
- 9 2. A description of the premises affected, in words or figures, or both, as
 10 shall be most convenient.
- 11 3. The number of acres in each tract.
- 12 4. And if benefits are assessed against the same, the amount of the same
 13 against each tract under a column headed "benefits," provided that no assess-
 14 ment of benefits shall be made against lands taken for right of way.
- 15 5. If damages are allowed for lands taken, the amount of the same against
 16 each tract shall be set forth under a column headed "Damages," provided, that
 17 damages to lands not taken may be set off against benefits and the net amount
 18 inserted under the columns headed "Benefits" or "Damages," as the case may
 19 be.

20 The commissioners shall, when directed by the court, make an assessment
 21 of the "annual amount" of benefits which each tract will sustain by keeping said
 22 levees, ditches or other work in repair, and to maintain in operation pumping
 23 plants, if any there be in the district, all of which shall be known as "the commis-
 24 sioners' roll of assessments of benefits and damages."

Sec. 18. ASSESSMENT AND OBLIGATIONS OF CORPORATE AUTHORITIES.] The com-
 2 missioners in said "commissioners' roll of assessments of benefits and dam-
 3 ages" shall apportion to any public or corporate road or railroad, or to the
 4 streets and alleys of any municipal corporation in the district its or their respec-

5 tive share of the cost and expenses in proportion to benefits that will accrue to
6 said corporation, including municipal corporations, and also set forth the dam-
7 ages, if any, to said corporations and give them the same notice, and at the
8 same time, as shall be given to private individuals, and the matter of the amount
9 of such assessments of benefits and damages shall be submitted to the same jury
10 in the same manner as the benefits and damages to accrue to private individuals
11 and the said jury shall proceed to assess the damages and benefits in like man-
12 ner as to lands of individuals.

13 In case such assessment is made against any township or road district,
14 the commissioner of highways of such town or road district shall cause the same
15 to be levied and paid to said drainage district in the manner provided by the
16 road and bridge law of this State.

17 No credit shall be given, nor damages allowed to any railroad or other pri-
18 vate corporation or individual on account of the expense of constructing, erect-
19 ing or repairing any bridge, embankment or grade, culvert or other work of the
20 road or right of way of such corporations or persons crossing any ditch or drain,
21 constructed in the line of any natural depression, channel or water course; but
22 the corporate authorities of said railroad or other private corporation or indi-
23 vidual are hereby required, at their own expense to construct such bridge, cul-
24 vert or other work or to replace any bridge or culvert temporarily removed
25 by the commissioners in doing the work of such district. Full power and author-
26 ity is hereby given the drainage commissioners to remove such bridges or cul-
27 verts for the purposes aforesaid, if they in their judgment find it necessary.

28 The cost of building, enlarging or replacing any highway bridge across the
29 open ditches of the district, when occasioned by the work of the drainage dis-
30 trict, whether in a natural water course or not, shall be taken into consideration
31 in determining the amount of damage to be allowed the commissioner of high-
32 ways, or to the town, road district or county, and shall be agreed upon or ascer-
33 tained at the same time and in the same manner as other damages arising from
34 the construction of the drainage improvements.

35 When said damages are so ascertained and paid, the said town, road dis-
 36 trict or county or other public highway authorities shall thereafter, at their
 37 own expense construct and maintain such bridge, culvert or other work or replace
 38 any bridge or culvert temporarily removed by the commissioners in doing the
 39 work of said district.

Sec. 18½. FILING OF ROLL—NOTICE BY COMMISSIONERS—HEARING BEFORE JURY.]

2 Upon the filing of the “Commissioners’ roll of assessments of benefits and
 3 damages,” with the clerk of the court, the commissioners shall give ten days’
 4 notice in the manner provided by section three (3) of this Act, of the time and
 5 place when and where they will appear before the same court in which the peti-
 6 tion was filed for the purpose of having a jury impaneled in accordance with
 7 the provisions of section six (6) of an Act entitled, “An Act to provide for the
 8 exercise of the right of eminent domain,” approved April 10, 1872, in force
 9 July 1, 1872, and for the hearing before said jury, upon all questions of bene-
 10 fits and damages, to any of the land in said district.

11 Upon the hearing, the commissioners and all persons interested in the lands
 12 to be affected, shall have the same right of challenge of jurors as in other civil
 13 cases in the County Courts of this State. When said jury is selected they shall
 14 be sworn, to faithfully and impartially perform the duties required of them to
 15 the best of their understanding and judgment, and to make their assessments
 16 of benefits or of damages, or damages and benefits, as the case may be, accord-
 17 ing to law; and thereupon said commissioners, on behalf of said district, shall
 18 present and file as their claim against the several land owners and tracts of
 19 land, the assessment roll provided for in Section seventeen (17) of this Act,
 20 which shall make out a *prima facie* case for the commissioners, and all parties
 21 to said proceedings shall be permitted to present to said jury their case in per-
 22 son or by counsel, and offer any competent evidence as to the amount of bene-
 23 fits which any land in said district will receive by reason of said proposed work,
 24 or as to the damages to land taken or damaged thereby over which the right
 25 of way has not been obtained, and after such evidence shall be presented and

26 argument of counsel heard, the court shall instruct them as to the law and form
27 of their verdict.

Sec. 19. ORGANIZATION OF JURY—EXAMINATION OF LANDS—VERDICT—CONFIR-
2 MATION.] And thereupon said jury shall proceed to select a foreman and clerk
3 from said jury, and in charge of said foreman shall, in case any party in inter-
4 est shall so request, proceed to examine the lands, railroads, streets, alleys and
5 public highways to be affected by the proposed work.

6 In making such assessment, the jury shall award and assess the damages
7 and benefits in favor of and against each tract separately, in the proportion in
8 which such tract of land will be damaged or benefitted, and in no case shall any
9 tract of land be assessed for benefits in a greater amount than its proportionate
10 share of the estimated cost of the work and expenses of the proceeding, nor in
11 a greater amount than it will be benefitted by the proposed work according to
12 the best judgment of the jury.

13 The jury shall ascertain to the best of their ability and judgment the ben-
14 efits which will accrue to the lands, railroads, streets, alleys and public high-
15 ways to be affected by the said proposed work, and the damages to the lands
16 taken or damaged thereby, over which the right of way for the construction of
17 the said proposed work had not been obtained and, when directed by the court,
18 the jury may also ascertain the “annual amount” of benefits which each tract
19 will sustain by keeping said levee, ditches or other work in repair, and said jury
20 shall make out their verdict in which shall be set down in proper columns the
21 names of the owners when known, a description of the premises to be affected,
22 in words and figures, or both, as shall be most convenient, the number of acres
23 in each tract and the amount of benefits assessed, if any, and the amount dam-
24 ages allowed, if any, against each tract, railroad, public highway, or municipal
25 corporation; also, when required, the amount of “annual benefits,” if any,
26 which each tract will sustain by keeping said levees, ditches or other work in
27 repair, and in finding such verdict they shall take into consideration their view

28 of the premises as evidence (if such view shall have been requested by any party
29 in interest) and consider it with the other testimony offered in the case and al-
30 lowed by the court, which verdict when so completed shall produce the total
31 sum of the estimated cost of the proposed work and the proceedings incident to
32 the same, together with the annual amount of benefits which the lands will sus-
33 tain by keeping said levees, ditches or other work in repair, when required, and
34 the amount of damages allowed, and said verdict shall then be signed by the
35 jury and filed in the court, and shall be taken and held to be thte verdict of the
36 jury upon all questions of benefits and damages arising in the proceedings.

37 The court shall, if necessary, continue said cause to a day certain for the
38 report of the verdict of said jury, and if said jury are not ready to file their
39 verdict on the day fixed, said cause may be continued from time to time until
40 they have completed their verdict and have returned the same to the court, and
41 all persons interested shall take notice of the time of filing and making said re-
42 port by the jury.

43 The court may cause to be prepared and submit to said jury a form for
44 their said verdict, including names of the owners and descriptions of the tracts
45 to be affected, including the railroads, public highways and municipal corpora-
46 tions, with blanks for the said jury to fill with the amounts of benefits and
47 damages as they shall find, and when completed the same may be placed in form
48 by the court in the presence of said jury, or the said jury may be recalled at any
49 time after being discharged to correct any errors or omissions therein.

50 When said verdict is finally filed the court shall confirm said verdict and
51 enter up judgment upon said verdict, and cause the same to be spread upon the
52 records, and such judgment and verdict shall be a lien upon such lands after
53 the said judgment, until paid. Appeals and writs of error shall be allowed
54 therefrom as in cases of appeals from or writs of error to county courts in pro-
55 ceedings for the sale of lands for taxes or special assessments: *Provided,*
56 that the granting of an appeal in any one or more cases, to one or more per-
57 sons shall not operate to defer the collection of the judgment in other cases, but

58 the collection in other cases shall proceed as is no appeal had been taken.
59 When said appeals are decided, if the judgment of said county court shall be
60 affirmed, or upon said case being remanded for a new trial, if judgment shall be
61 in favor of said district, the county court shall order the judgment so rendered
62 to be made a part of said judgment not appealed from, and the same shall be
63 collected as if no appeal had been taken.

Sec. 20. PAYMENT OF BENEFITS IN INSTALLMENTS.] At the time of confirm-
2 ing such assessments, it shall be competent for the court to order the assess-
3 ment of benefits to be paid in installments of such amounts, and at such times
4 as will be convenient for the accomplishment of the proposed work or pay-
5 ment of bonds that may be issued; otherwise the whole amount of such assess-
6 ment shall be payable immediately upon such confirmation. The assessments
7 or installments thereof shall draw interest at the rate of six per cent per annum
8 from the time of confirmation until paid; but if any owner elects, he may pay
9 the whole amount of the assessments, and interest, if any, accrued against his
10 land, before it becomes due: *Provided*, such payment is made before any bonds
11 are issued by the district: *And, provided, further*, that where the court has,
12 by order, directed the whole or a part of the assessment of benefits to be paid
13 in deferred installments, that the court may, by order, direct that the interest
14 on such deferred installments shall be collected yearly in advance. Said assess-
15 ments shall be a lien upon the lands assessed as other taxes, and such lien shall
16 continue until said assessments are paid; and the proceedings of the county
17 court of the county in which said lands are situated, shall be sufficient notice
18 of such lien. When an assessment against any tract of land has been fully
19 paid, it shall be the duty of the treasurer of such district to execute and deliver
20 to the owner of such land, a release in full, which shall discharge such owner
21 from all further liability to pay the same. The release may be recorded in the
22 recorder's office of the county where such lands are situated.

Sec. 21. INSTALLMENTS—INTEREST.] In case the assessments for benefits shall be payable in installments, such installments shall draw interest at six per cent per annum, payable annually from the time of confirmation of the assessment roll until they are paid, and such interest may be collected and enforced as part of the assessment: *Provided*, that in any district where no bonds or interest-bearing obligations, at the time of such collection of interest shall have been issued or are outstanding against such installments of assessments upon which said interest shall be collected, the commissioners of such district may, under the direction of the county court, use the money, so collected as interest for the construction or maintenance of any ditches, drains or levees or other work or any necessary expenses of said district or any indebtedness of said district.

Sec. 22. CERTIFIED COPY OF ASSESSMENT DELIVERED TO COMMISSIONERS.] Immediately after the entry of such confirmation by the court, the clerk shall make out and certify to the commissioners a copy of such assessment roll, and shall also make out and deliver to the commissioners separate copies of such parts thereof, pertaining to the land situated in other counties, which shall be recorded in the recorder's office of the respective counties, in which the lands are situated, and shall be notice of the lien thereof to all persons.

Sec. 23. TREASURER—BOND.] The commissioners shall, after the confirmation of said assessment roll, and before any collections shall have been made by them, appoint a treasurer, who shall not be one of their number, who shall execute a bond to the people of the State of Illinois for the use of all persons interested, in a sum of not less than twice the amount of assessments that may be in his hands during his term of office, with such sureties as may be approved of by the judge of said court, conditioned for the faithful performance of his duties as treasurer of said drainage district, and that he will safely and faithfully account for all money that by virtue of his said office shall come to his hands. Which said bond when approved by the court shall be kept and

11 preserved by said commissioners, and suits may be maintained upon the same
12 by them upon any breach of its conditions.

Sec. 24. DUTIES—TERM OF OFFICE.] It shall be the duty of said treasurer
2 to keep proper books to be furnished him by the commissioners, in which he
3 shall keep an accurate account of all moneys received by him, and of all dis-
4 bursements of the same; he shall pay out no money, except upon the order of
5 a majority of the commissioners, and shall carefully preserve on file all orders
6 for the payment of money given him by the commissioners, and shall turn over
7 all books, papers, vouchers, moneys and other property belonging to and in his
8 hands, as such treasurer, to his successor in office. His term of office shall be
9 two years, but he may be at any time removed by the court upon petition of
10 a majority of the commissioners, or for good cause shown. He shall receive,
11 as a compensation for his services, a sum fixed by the commissioners before
12 his appointment.

Sec. 25. COMMISSIONERS—NOTICE OF ASSESSMENT.] The commissioners, upon
2 receiving such certified copy of such assessment roll, or the treasurer of such
3 district, shall immediately cause a notice to be published for three weeks, in the
4 manner required in section three of this Act, in substance as follows:

5 Notice is hereby given to all persons interested, that an assessment (or
6 installment of per cent of the assessment, as the case may be) is now due
7 for drainage purposes upon lands lying with the drainage distdict,
8 in the county of and State of Illinois, and the same must be paid
9 to the undersigned commissioners of said drainage district (or to
10 treasurer of said district at his office in, as the case may be), on
11 or before the day of19....; and in default of such pay-
12 ment, the several tracts of land upon which said assessment (or installment, as
13 the case may be), remains unpaid, will be sold according to law, to pay the
14 amount of such assessment (or installment) and costs.

15 Dated this..... day of....., 19.....

16
17 Commissioner (or Treasurer.)

18 In case the assessments made are ordered by the county court paid in in-
 19 stallments, said commissioners or treasurer shall give a like notice, as near as
 20 may be, of any installment or installments immediately after such installment
 21 or installments becomes dues and payable.

22 In case of "annual amount of benefits" in drainage and levee districts, as
 23 is required by section forty-two (42) the commissioners shall give notice in a
 24 similar manner immediately after the first day of September of each year stat-
 25 ing what part of the "annual amount of benefits" will be collected for that
 26 year, which notice may be in substance as follows:

27 Notice is hereby given to all persons interested, that the "annual amount
 28 of benefits" (or per cent of the "annual amount of benefits," as the case
 29 may be), is now due for drainage and levee work for the year commencing
 30 September 1, A. D. 19...., upon land lying within the drainage and
 31 levee district, in the county of and State of Illinois, and that the
 32 same must be paid to the undersigned commissioners of said district (or to
 33, treasurer of said district, at his office in, as the case
 34 may be), on or before the day of, 19...., and in default
 35 of such payment, the several tracts of land upon which said "annual amount
 36 of benefits" (or per cent of the "annual amount of benefits," as the case
 37 may be), remains unpaid, will be sold according to law, to pay the amount of
 38 the same and costs.

39 Dated this day of, 19....

40
 41 Commissioners (or Treasurer).

42 which notice shall be a sufficient demand for any assessment or installment that
 43 may be due.

Sec. 26. DELINQUENT ASSESSMENT—RETURN—SALE.] If the assessment or
 2 any installment or installments thereof, or annual amount of benefits, due upon
 3 said lands, shall not be paid on or before the day named in the notice given in
 4 section twenty-five (25) of this Act, it shall be the duty of said commissioners,

5 if they have not appointed a treasurer as aforesaid, and if so, then of said treas-
6 urer, to make out a certified list of such delinquent lands upon which the
7 assessment, or any installment or annual amount of benefits remains unpaid,
8 and the same be by him or them, on or before the tenth day of March next,
9 after the same have become payable, returned to the county collector of the
10 county or counties in which said lands shall lie; and when the same shall lie in
11 different counties a separate return shall be made for each county of the delin-
12 quent lands therein; and it shall be the duty of the county collector to whom
13 any such returns have been made, to transfer such returns to the tax books in
14 his hands, setting down therein in proper order the several tracts of the real
15 estate, town lots and blocks so returned, and setting opposite the respective
16 tracts of real estate, lots and blocks, in proper columns prepared for that pur-
17 pose, the amount of assessment, installment or installments or annual amount
18 of benefits against each tract of real estate, lots and blocks, and the like pro-
19 ceedings shall be had and with the like force and effect in the collection of such
20 delinquent assessment or assessments, or installment or annual amount of bene-
21 fits unpaid, with interest, and the sale of said real estate, lots, blocks and lands
22 for non-payment thereof as in ordinary collections of State and county taxes
23 by county collectors and of sale of real estate by them for such non-payment and
24 of redemption from such sales. Nothing in this Act contained shall be construed
25 to affect or impair any assessment or return of lands delinquent for assess-
26 ment heretofore made under any law of this State.

Sec. 27. PAYMENT BEFORE SALE.] Notwithstanding the returns of such de-
2 linquent list, the said commissioners, or their treasurer, shall be authorized to
3 receive payment of any such delinquent assessments and costs, and may give re-
4 ceipts for the same, but shall keep a memorandum of the same, and on or before
5 the day of sale fixed by said county collector for the sale of such lands, shall
6 present said memorandum, or list, to said county collector or collectors, for
7 the purpose of having the same checked or marked paid on the delinquent list in
8 his hands, and all amounts collected by the said county collector, by sales or

9 otherwise, after deduction of his fees, shall be paid to the commissioners on
10 demand.

Sec. 28. NEGLECT TO PAY ASSESSMENT OR INSTALLMENT.] In case the owner or
2 owners of any lands lying in any district, heretofore or hereafter organized, and
3 which are assessed, fails or neglects to pay any assessment or assessments, in-
4 stallment or installments, tax levy or levies when due, and the same be not col-
5 lected on or before the annual sale of lands for non-payment of taxes, the com-
6 missioners of such drainage district may file a petition or bill in the circuit
7 court of the county in which the land or property upon which such assessment,
8 installment or levy has not been paid, for a foreclosure of such lien; and the
9 commissioners may proceed in the corporate name of the district to foreclose
10 such lien in like manner and with like effect as in foreclosure of mortgages.
11 Any decree rendered in such court may be enforced and collected as other de-
12 crees or judgments in the same court. The remedy provided in this section for
13 the collection of delinquent assessments or taxes shall not be construed to
14 abridge or in any manner interfere with the right and power to enforce collec-
15 tion of any delinquent assessment or tax in the manner provided by the rev-
16 enue laws of this State, or other provisions of this Act, but the remedy herein
17 provided shall be taken and held as an additional means to enforce payment of
18 such delinquent assessment or tax.

Sec. 29. ACT TO BE LIBERALLY CONSTRUED.] This act shall be liberally con-
2 strued to promote the ditching, drainage, and reclamation of wet or overflowed
3 lands; and collection of assessments shall not be defeated by reason of any
4 omission, imperfection or defect in the organization of any district, or in any
5 proceedings occurring prior to the judgment of the court, confirming the assess-
6 ments of benefits and damages; but said judgment shall be conclusive that all
7 prior proceedings were regular and according to law.

ARTICLE III.

POWER TO BORROW MONEY.

Sec. 30. COMMISSIONERS' POWER TO BORROW MONEY.] The commissioners
2 may borrow money not exceeding ninety per cent of the amount of assessment
3 unpaid at the time of borrowing, for the construction of any work which they
4 shall be authorized to construct, or for the payment of any indebtedness they
5 may have lawfully incurred under the provisions of this act, and may secure
6 the same by notes or bonds, bearing interest at the rate of not exceeding six
7 per cent per annum, and not running beyond one year after the last assessment
8 or installment of assessment on account of which the money is borrowed shall
9 fall due, which notes or bonds shall not be held to make the commissioners
10 personally liable for money borrowed, but shall constitute a lien upon the assess-
11 ment for the re-payment of the principal and interest thereof; or such bonds
12 may be issued to the amount of ninety per cent of any one installment, and con-
13 stitute a lien on such installment alone, falling due within one year after such
14 installment becomes due, such installment shall be particularly designated in
15 such bonds, and the county court, on petition of the commissioners may author-
16 ize the sale of said notes or bonds at not less than 90% of their par value:
17 *Provided*, where the payment of any installment or installments of any assess-
18 ment has been deferred in pursuance of section twenty of this act, and the court
19 shall find on the petition of the commissioners that it will be for the interests
20 of the district that money should be borrowed to an amount exceeding ninety per
21 cent of such installment or installments, the court on due hearing, may by order
22 entered of record, authorize the borrowing of money to such an amount in excess
23 of ninety per cent of such installment or installments as the court may find to
24 be advisable. And the county court may, on the petition of the commissioners,
25 authorize them to refund any lawful indebtedness of the district authorized by
26 and created under this Act, or any former Act, by taking up and cancelling all
27 outstanding notes and bonds of such district, issued under this Act, or any
28 former Act, as fast as they become due, or before they shall become due, if the

holders thereof will surrender the same, and to issue, in lieu thereof, new notes or bonds of such district, payable on such longer time as the commissioners may think proper, not to exceed in the aggregate the amount of all notes and bonds of such district then outstanding, and the unpaid accrued interest thereon, and the court shall have power, on the petition of the commissioners to order that the collection of any one or more, or all of the installments of the assessments for benefits on account of which the money was borrowed, be postponed to such time as the court may consider proper and reasonable, when the same shall become due and payable; and such installment or installments, so postponed shall bear interest until they shall become due, at the rate of eight (8) per cent per annum, unless otherwise ordered by the court, and after they become due they shall bear interest at the rate of eight per cent per annum: *Provided*, that such bonds and notes shall be made due and payable within one year after the last installment of the assessment postponed, as aforesaid, shall become due. The court shall have the power to make all needful orders to carry into effect the provisions of this Act, and no irregularity in the proceedings, either before or after the organization of the district or in the assessment of benefits, or in the extension of time for the payment of the same, shall in any manner affect the validity of the bonds or coupons issued in pursuance of this Act.

Sec. 31. BONDS—HOW ATTESTED, ETC.] Each bond issued as provided for by section thirty (30) of this Act shall be attested by the clerk of the county court, and said clerk shall also make a certified statement thereon, affixing his seal of office thereto, of the total amount of assessments and rate of interest it bears, pledged for the payment of said bonds and other bonds, if any issued; the date, number, denomination and time due of all bonds issued which are a lien upon the assessments or installments of assessments of the district; when the assessments were confirmed by the county court, and the number of acres of land in the district against which said assessments were made.

ARTICLE IV.

CHANGES IN PLANS AND ASSESSMENTS, PAYMENT OF DAMAGE AND CONTRACTS FO WORK.

Sec. 32. CHANGE IN CONSTRUCTION.] Whenever the commissioners of any
2 drainage district organized under the provisions of this Act shall be of the
3 opinion that it would be for the best interest of said district that a change, or
4 changes, should be made in the method of construction of any part of the pro-
5 posed work of such district, or in the route of any proposed ditch, ditches, levee
6 or levees or in the size, capacity or plan of any such proposed work, the said com-
7 missioners shall file their petition in the county court of the county in which
8 said district was organized, which petition shall set forth the nature of the pro-
9 posed change or changes in plans, together with an estimate of the additional
10 or decreased expense of such change or changes, and which shall be signed and
11 sown to by such commissioners, or a majority of them, and to which petition
12 shall be attached, the affidavit of some credible person or persons, giving the
13 names and post office addresses of all owners of lands in said district, not resi-
14 dents of said county. Upon such petition being filed, the court shall set the
15 same for hearing, on some day not less than two weeks or more than four weeks
16 from the filing thereof, and the clerk of said court shall proceed to give two wees'
17 notice of such hearing, in the manner provided in sectoin three (3) of this Act.
18 Upon the hearing thereof, if the court shall find that the said proposed change,
19 or changes, does, or do, not materially effect the general nature and character
20 of the proposed work of said district, and does, or do, not decrease the general
21 efficiency of the same, the court shall enter an order to that effect and shall, at
22 the same time make a finding as to the additional amount that will be required
23 to make such change or changes, or the decreased amount that will be required
24 if such change or changes be made. In case the court shall find that such change
25 or changes should be made and that additional expenditures will be required to
26 make such change or changes, the court may order the same paid from the gen-
27 eral funds of said district, or may order the commissioners to return a roll of
28 additional assessments or benefits against the lands of said district for the addi-

29 tional amount required. In case the court shall order an additional assessment of
 30 benefits, or an assessment of benefits and damages, the commissioners and court
 31 shall thereafter proceed in the return and confirmation of the same in conform-
 32 ity with the provisions of Sections 17, 18, 18½, and 19 of this Act. In case the
 33 court shall find that the making of such change or changes will decrease the ex-
 34 pense of the proposed work of said district, the court shall enter an order abat-
 35 ing such proportion of the assessment of benefits as shall have been thereto-
 36 fore made in such uniform proportions, as such change or changes shall render
 37 unnecessary to be expended. The court may, for good cause shown, continue
 38 the hearing on such petition from time to time, and any person interested may
 39 appear and resist the application for such proposed change or changes. The
 40 court may, on the hearing of said petition, make such other or further order
 41 in the premises as the circumstances may require in order to do justice to the
 42 petitioners and the land owners and persons in said district.

Sec. 32½. ABANDONMENT OF DRAIN.] At any time before the contract shall
 2 have been made for the construction of any drain, ditch, levee or other work
 3 provided for in the report of the commissioners, or the order of the court made
 4 in pursuance thereof, which is sought to be abandoned, as hereinafter pro-
 5 vided, upon petition of four-fifths of the adult land owners of the district
 6 representing three-fourths of its area, the county court may, if upon due in-
 7 quiry it shall be satisfied that justice towards all the land owners of said dis-
 8 trict requires it, direct the commissioners to abandon any drain, ditch, levee
 9 or other work, or any part thereof, mentioned in such report or order. Upon
 10 the filing of any such petition it shall be set down for hearing by the court, and
 11 notices of the filing of such petition, and of the general nature of the relief
 12 sought by the petitioners, shall be given by the clerk of the court in which such
 13 petition is filed for the length of time and in the manner (as far as applicable
 14 to the nature of the proceedings) required by Section three (3) of this Act.
 15 The court may, for good cause, after the proof of notice as aforesaid, continue

16 the hearing of such application from time to time, and any person or persons
17 interested may appear and resist such application; and the court, after a full
18 hearing of all material facts pertaining thereto may make such order in the
19 premises as shall appear to the court to be just. If the court shall determine
20 that any portion of the proposed work shall be abandoned, it shall ascertain to
21 what extent the cost of such proposed work shall be diminished thereby; and
22 if the assessments for benefits shall have been made, such portions of said
23 assessment shall be abated in such uniform proportion as such change of plan
24 shall render unnecessary for the completion of such works according to such
25 modified or altered plans and if any lands shall have been assessed by the com-
26 missioners which, on account of such change of plans, will be wholly deprived
27 of the benefits contemplated in the original plans, the court shall order that the
28 entire assessments against such lands be abated. If such order shall be made
29 after the assessments shall have been collected, the court shall order such pro-
30 portion of said assessments as may be abated to be refunded to the persons who
31 may have paid the same or their lawful representatives, and for non-compliance
32 with such order, the commissioners and the treasurer of said district, respec-
33 tively, and their sureties shall be liable upon their respective bonds. And the
34 court may make any other or further order in pursuance of the objects of this
35 section of this Act, as justice to all persons whose interests may be affected by
36 it may require.

Sec. 33. PAYMENT OF DAMAGES.] All damages over and above benefits to any
2 tract of land, shall be payable out of the amount assessed against other lands
3 assessed for benefits, and shall be paid or tendered to the owners thereof before
4 the commissioners shall be authorized to enter upon his land for the construc-
5 tion of any work thereon. In case the owner is unknown, or there shall be a
6 contest in regard to the ownership of the land, or the commissioners cannot
7 for any reason safely pay the same to the owner, they may deposit the same
8 with the clerk of the court and the court may order the payment thereof to
9 such party as shall appear to be entitled to the same. The damages assessed

10 under this Act in favor of any tract or tracts of land in such district, shall
 11 be in full compensation to the owner thereof, their heirs or assigns, for the
 12 perpetual right of way, as located by the commissioners over such lands, of
 13 any ditch or ditches, open or covered, levee or other work including the right
 14 of the commissioners, their employees or contractors with teams, tools or ma-
 15 chinery to enter upon such lands, and construct such work, and if necessary, to
 16 repair or enlarge the same, and any person who shall wilfully prohibit or pre-
 17 vent any of the aforesaid persons from entering such lands for the purpose
 18 aforesaid, shall be fined in a sum not to exceed twenty-five dollars (\$25.00) per
 19 day, for such hindrance, to be collected as other fines.

Sec. 34. LETTING CONTRACTS—ADVERTISING FOR BIDS.] The commissioners,
 2 when qualified in pursuance of this Act, may do any and all acts that may be
 3 necessary in and about the surveying, laying, constructing, repairini, altering,
 4 enlarging, cleaning, protecting and maintaining any drain, ditch, levee or other
 5 work for which they have been appointed, including all necessary embankments,
 6 protections, dams and side drains, clearing out and removing of obstructions
 7 from natural or artificial channels or streams within or beyond the limits of
 8 the drainage district, procuring or purchasing riparian rights by agreement
 9 with the owners thereof, and may use any money in their hands arising from
 10 assessments for that purpose: *Provided*, that in all cases where the work to be
 11 done is the construction of the principal work, the cost of which will exceed five
 12 hundred dollars (\$500.00), the same shall be let to the lowest responsible bidder,
 13 and the said commissioners shall advertise for sealed bids by notice published
 14 at least once in some newspaper issued in the county in which the petition is
 15 filed, said publication to be published at least twenty days before the letting,
 16 and if there be no newspaper issued or published in said county, then in the
 17 nearest newspaper; which said notice shall particularly set out the time and
 18 place, when and where, the sealed bids will be opened; the kind of work to be
 19 let, and the terms of payment. Said commissioners may continue the letting
 20 from time to time, if in their judgment the same shall be necessary, and may

21 reserve the right to reject any and all bids. And said commissioners shall
22 not, during their term of office, be interested directly or indirectly in any con-
23 tract for the construction of any ditch, drain, or levee, in such drainage dis-
24 trict, nor in the wages of or supplies to men or teams employed on any such
25 work in said district: *Provided, further,* that no levee, drain, ditch or other
26 work authorized to be constructed or made under this Act shall be constructed
27 or made in such a manner as to destroy or impair the usefulness or prevent
28 the public use of any bay or harbor, or body of water used as a harbor, con-
29 nected with any navigable stream.

Sec. 35. CREDIT ON ASSESSMENT FOR WORK.] In case any person assessed
2 for benefits, contracts to do any work, and said work is done according to con-
3 tract, the commissioners shall give said person a receipt for so much of said
4 assessment as said work amounts to, and said receipt may be received by the
5 treasurer as payment of so much of said assessment: *Provided,* that when
6 bonds have been issued by said district such contractor shall have an order on
7 the funds in the hands of the treasurer for said amount.

ARTICLE V.

USE OF MONEY AND ADDITIONAL ASSESSMENTS.

Sec. 36. MONEY TO BE USED UNDER DIRECTION OF COURT.] Said commissioners
2 may use money arising from the collection of assessments or coming into their
3 hands as such commissioners for the purpose of
4 1. Compromising suits and controversies arising under this Act,
5 2. In the employment of all necessary agents and attorneys, in organiz-
6 ing said district,
7 3. For conducting other proceedings at law or in equity for the same, and
8 4. For the purpose of constructing or maintaining or repairing any
9 ditches, drains, or levees within said district or outside of said district, neces-
10 sary to the protection of the lands and complete drainage of the same within
11 said district.

12 *Provided*, that the commissioners shall use such money under the direction
13 or approval of the court.

Sec. 37. ADDITIONAL ASSESSMENTS.] Assessments from time to time may be

2 levied within any district when it shall appear to the court

3 1. That the previous assessment or assessments have been expended or,

4 2. Are inadequate to complete such work, or

5 3. Are necessary for maintenance or repair, or

6 4. When it shall become necessary for the construction of one or more
7 pumping plants or other additional work or

8 5. To pay obligations incurred for the current expenses of said district
9 or in the keeping in repair and protection of the work of said district, or

10 6. The completion of any work already commenced within any drainage
11 district to insure the drainage or protection of the lands in said district under
12 the direction and order of the court, or

13 7. To pay obligations incurred for the completion of any part of the work
14 of said district, as originally planned, contracted for and already commenced
15 within any drainage district to insure the protection or drainage of the lands
16 in said district or

17 8. When it shall become necessary to realize funds in order that any dis-
18 trict organized under this or other Acts may avail itself of financial assistance
19 from any appropriation made by the government of the United States for the
20 purpose of repairing, enlarging or strengthening any levee or levees adjacent
21 to or near any river,

22 On a petition of the requisite majority of land owners, hereinbefore defined, or
23 on the petition of the commissioners accompanied by an itemized statement of
24 accounts made by the commissioners under oath showing:

25 (a) The moneys received by the district,

26 (b) The manner in which they have been expended,

27 (c) The plats and profiles of any additional work,

28 (d) The estimated cost of the same.

29 Two weeks previous notice of the time set for the hearing on said petition
30 in the manner required by section three (3) of this Act shall be given and on
31 the hearing of said petition the court may grant or deny the prayer of the
32 same and may make such other order as the case shall require.

33 If the court finds an additional assessment should be made, it shall cause
34 a jury to be impaneled to make said assessment, as well as an assessment for
35 an annual amount of benefits for maintaining and operating such pumping plant
36 or plants and for keeping such additional work in repair, with like proceedings,
37 and notice as near as may be, as in case of original assessments of damages
38 and benefits under this Act and such additional assessment or assessments
39 when made shall have the same force and effect and be collected in the same
40 manner as original assessments.

Sec. 38. INCLUSION OF VOID OR UNPAID ASSESSMENTS.] In making additional
2 assessments the jury may consider any prior assessment or assessments,
3 against any land which are void and unpaid, by reason of some omission, cler-
4 ical error, mistake, or for want of proper notice to the owner thereof, or on
5 account of other irregularity of proceedings not affecting the merits of such
6 prior assessments and may include the same or any part thereof with such
7 other assessments.

Sec. 39. PROCEEDINGS WHEN ASSESSMENT INVALID AS TO ONE OR MORE TRACTS.]
2 Whenever it shall appear to the court that any proceedings for the organization
3 of a drainage district, or any assessment of damages or benefits under this
4 Act, or any law of this State is invalid as to one or more tracts of land jointly
5 or severally owned, situated in such district or any tract of land has been omit-
6 ted from such assessment by reason of clerical error or other mistake, or want
7 of the proper notice or notices, as required by such Act or law, such want of
8 notice shall not invalidate such organization, neither shall such assessment of
9 benefits be lost to the district; but the commissioners of such district may file a
10 petition against the owner or owners, his heirs or assigns, of such lands irregu-

11 larly assessed or omitted in said court, describing in such petition the bounda-
 12 ries and name of the district, the land owned by defendants, the amount of dam-
 13 ages and benefits assessed in favor of and against such lands, reciting such ir-
 14 regularity of notice and omissions, and praying the defects and omissions may
 15 be cured, and such assessments be made valid, and that the lands omitted, if
 16 any, may be assessed, or made a part of the district, as the case may be.

Sec. 40. PROCESS AND HEARING THEREON.] Upon the filing of such petition,
 2 process of summons shall be issued thereon, made returnable to said court, and
 3 served ten days before the next succeeding term thereof, or continued, as the
 4 case may be, for service, in the manner now provided by law for issuing and ser-
 5 vice of summons in chancery cases; and in case the defendants or either of them,
 6 are non-residents of this State, like proceedings and practice shall be had, and
 7 notice by publication shall be given as provided by such law in chancery cases.
 8 In case any defendants are minors, the court shall appoint a guardian *ad litem*
 9 who shall appear and defend in behalf of such minors; and every defendant
 10 served or notified as required in this Act shall by his answer show why the
 11 prayer of the petition should not be granted; and in default of such answer the
 12 court shall give judgment according to the prayer of such petition. In case the
 13 defendants file such answer, the court, on the trial of said cause, shall hear
 14 oral or written evidence, and give judgment therein, as in cases of equity, and
 15 may grant the prayer of such petition: *Provided*, in case the petition asks to
 16 make valid an assessment of damages or benefits, or to make assessments in
 17 favor of or against lands omitted, the defendant, if he demands it, shall be enti-
 18 tled to a jury to view the premises, and make assessments *de novo*, or make as-
 19 sessments omitted, as to the lands named in the petition, and a special assess-
 20 ment roll shall be made and filed and a jury impaneled and sworn and shall
 21 proceed in the manner provided by this Act, as near as may be, for making
 22 assessments and such further proceedings and confirmation shall be had there-
 23 in, as provided in this Act, in cases of other assessments; and the defendants
 24 may appeal from the confirmation of the verdict of the jury or judgment of

the county court, upon the same conditions provided by this Act for appeals from judgments in other cases of assessment of damages and benefits.

ARTICLE VI.

MAINTENANCE OF WORK AFTER COMPLETION.

Sec. 41. ASSESSMENT FOR REPAIRS.] The amount assessed for keeping any levee or other work of the district in repair, shall not in the aggregate amount to a sum in any one year, greater than would be produced by 30 cents per acre on all lands within said district. In case such assessment of annual benefits is not made at the time of the original organization of said district or the same is thereafter found to be insufficient, the same may be provided for, or increased in the same manner as herein provided for the levying of additional assessments in such districts.

In case the petition shall set out that a levee or ditch has been made under any law of this State and prays for an assessment of benefits to repair and keep in repair said levee or ditch, the commissioners shall cause to be made an assessment of benefits which said lands will sustain by repairing said levee or ditches, and also the "annual amount" of benefits which said lands will sustain by keeping said levee or ditch in repair thereafter and such assessment of benefits shall be made in the same manner provided by sections seventeen (17), eighteen (18), eighteen and one-half (18½), and nineteen (19) of this Act, but in all other respects the commissioners shall comply with the provisions of this Act, so far as the same may be applicable thereto: *Provided*, that in all cases where the amount of benefits assessed, and the assessment of benefits to repair said levees, ditches or drains, heretofore constructed under any law of this State are insufficient to complete the ditches, drains or levees embraced in the proceedings, the "annual amount of benefits" assessed to keep said levee or ditch in repair after making all necessary repairs and paying other necessary expenses of maintenance for any year, may be applied to complete the ditches, drains or levees embraced in the proceedings, and to raising, strengthening and protecting said ditches, drains and levees, when required to protect the lands

embraced in the drainage and levee districts organized under this Act, from inundation and overflow, and in paying interest on any other notes or bonds issued under this act.

Sec. 42. ANNUAL AMOUNT OF BENEFITS — WHEN PAYABLE — PROCEEDING — REPORT—MAY BORROW MONEY—INTEREST.] In case where a levee or ditch has been heretofore built under any law of this State, or may hereafter be built under the provisions of this Act, the annual amount of benefits for keeping the same in repair shall be due and payable on the 1st day of September annually, and shall be a lien on the lands upon which said assessments are made, from and after the confirmation of the report. The court in which such proceedings are had shall require from said commissioners a report of the condition of the levee or ditch at its July term of each year, together with their estimate of the amount necessary to keep the levees or ditches in repair, pay all incidental and necessary expenses for the ensuing year, and the amount necessary to complete the ditches, drains or levees embraced in the proceedings and to raise, strengthen or protect said ditches, drains or levees, when completed, and in constructing additional ditches, drains or levees when required to protect the lands embraced in the drainage and levee district organized under this Act, from inundation and overflow; and if the court shall find that a less amount will be required for such ensuing year, then the whole amount of the assessment for the year, then the court shall by an order fix the amount to be paid for such year and only that amount shall be collected, and the excess of such assessment over and above the amount so fixed by said order for said year shall be remitted by law, and shall not thereafter be collected: *Provided*, that the amount to be collected under the order of said court shall not in the aggregate amount in any one year, to a sum greater than would be produced by a levy of thirty cents per acre on all the lands within said district; except in districts which now have, or may hereafter have, pumping plants, in which districts the annual amount of benefits collected each year shall be a sum sufficient to keep the levees, ditches, drains and other works of said district in repair and to maintain in operation such pump-

ing plant or plants: *Provided further*, that in all cases where the ditches, drains or levees constructed or repaired under this Act or any former act are in danger of being impaired, injured, broken or destroyed by overflow or otherwise, and a part of the annual amount of benefits for protection and keeping the same in repair for the year in which said ditches, drains or levees are so threatened, has been remitted by order of the court as herein provided, or when the annual amount of benefits for protecting and keeping the same in repair for any year is insufficient, the commissioners of drainage and levee districts, operating under this Act, may borrow money on the annual amount of benefits becoming due the 1st day of September, following the time when said ditches, drains or levees are so threatened, to the extent of two-thirds of said annual amount of benefits and may secure the same by notes or bonds of the drainage and levee districts bearing interest at the rate of six per cent per annum, and not running beyond one year from the date of issue, which notes or bonds shall not be held to make the commissioners personally liable for the money borrowed, but shall constitute a lien upon the annual amount of benefits falling due thereafter for the repayment of the principal and interest thereof.

ARTICLE VII.

ANNEXING LANDS TO ORGANIZED DISTRICTS.

Séc. 43. ASSESSING LANDS BENEFITED OUTSIDE THE DISTRICT.] Any land lying outside of the drainage district as organized, the owner or owners of which shall thereafter make connection with the main ditch or drain or with any ditch or drain within the district as organized or whose lands are or will be benefited by the work of such district, shall be deemed to have made voluntary application to be included in such drainage district; and thereupon the commissioners shall make complaint in writing, setting forth a description of such land or lands benefited, and amount of benefits; the name of the owner or owners thereof, also a description of the drain or ditch making connection with the ditches of such district, as near as may be; and file said complaint in the county court or before a justice of the peace. The court or justice of the peace of the

12 peace shall fix a day, not less than fifteen days from such filing, when he will
 13 hear such complaint, and thereupon the commissioners shall give ten days' no-
 14 tice thereof in writing; said notice shall embrace a copy of such complaint,
 15 and service thereof shall be either by reading or delivering a copy thereof to
 16 such owner or owners, or by publishing a copy of said petition and posting
 17 copies thereof within the territory sought to be annexed in the same manner
 18 as provided by Section 3 of said Act; and affidavit of such service shall be evi-
 19 dence thereof. At the time fixed, or at a time continued from such time fixed,
 20 the court or justice of the peace, shall hear said cause, and if the complaint is
 21 before a justice of the peace, and judgment is rendered in favor of said dis-
 22 trict, he shall record a copy of said complaint, and service of notice thereof
 23 together with his judgment thereon upon his docket, and if the district was or-
 24 ganized before the county court, he shall transmit a certified copy of such
 25 complaint and judgment to the clerk of such court who shall file and record the
 26 same, or if the complaint was heard by the county court, in which such dis-
 27 trict was organized and judgment given in favor of said district, a record of
 28 such judgment giving a description of such lands annexed shall be made, and
 29 such lands described in the complaint in either case, shall be deemed a part of
 30 such district and shall be assessed as other lands therein. The assessments of
 31 benefits against such lands so added to said district may be made at any time
 32 the commissioners may deem proper; and the assessment roll thereof shall be
 33 filed and recorded and proceedings thereon had as in other cases; or such
 34 lands may be assessed when all lands throughout the district are assessed:

Sec. 44. USE OF DISTRICT DRAINS BY OWNERS WITHIN THE DISTRICT. VOL-
 2 UNTARY ANNEXATION BY OUTSIDE OWNER.] Nothin in this Act shall be con-
 3 strued to forbid land owners within the district to more completely drain their
 4 lands by using the common drains as outlets to lateral drains; and the owners
 5 of land outside the drainage districts or another drainage district may connect
 6 with the ditches of the district already made, by the payment of such amount as

7 they would have been assessed if originally included in the district, or if such
8 connection shall, by increase of water, require an enlargement of the district
9 ditches, then the outside owners of land so connecting, or other drainage dis-
10 trict, as may be, shall pay the cost of such enlargement. If individual land
11 owners outside the district shall so connect, they shall be deemed to have vol-
12 untarily applied to be included in the district, and their lands benefited by such
13 drainage, shall be treated, and assessed like other lands within the district.

14 Drainage commissioners may at any time enlarge the boundaries of
15 their districts by attaching new areas of land which are involved in the same
16 system of drainage and require for outlets the drains of the district made or
17 proposed to be made, as the case may be, on petition of as great a proportion of
18 the land owners of the area to be added as is required for an original district.
19 All changes thus made in the district shall be duly noted and shown upon the
20 map, and recorded in the drainage record. The lands thus added to the district
21 shall be assessed with their fair proportion of the costs of the work done, or to
22 be done, in like manner, and upon the same basis as it would have been made
23 had the new area been included in the district at its organization.

ARTICLE VIII.

SUB-DISTRICTS.

Sec. 45. CONSTRUCTING ADDITIONAL DITCHES — PROCEEDINGS.] If, after an
2 assessment of lands throughout the district has been made for the purpose of
3 constructing drains or ditches, or enlarging or repairing the main drains or
4 ditches of said district, according to the profiles, plans and specifications of the
5 commissioners, as reported and confirmed, there remain lands in particular
6 localities in any original district which are in need of more minute and com-
7 plete drainage, and it shall appear to the commissioners that, in their judg-
8 ment, additional ditches, drains, outlets, levees, pumping plants, or other work
9 are needed in order to afford more complete drainage, they may prepare a spe-
10 cial report as hereinafter provided and file the same and organize a sub-district.

11 in the manner hereinafter set forth without the necessity of a petition of the
12 land owners therefor, and in all cases where, upon written application to the
13 commissioners signed by a majority in number of the adult land owners in such
14 locality owning in the aggregate more than one-third of the land affected or
15 by the adult land owners of the major part of the land in such locality who
16 constitute one-third or more of the land affected, it shall appear that additional
17 ditches, drains, outlets, levees, pumping plants or other work are necessary in
18 order to afford more complete drainage to such locality, it shall be the duty of
19 such commissioners to examine such lands, and lay off and make plans, profiles
20 and specifications of such additional work, and an estimate of the cost of the same
21 and make a special report thereof, which special report whether filed on petition
22 of land owners or not, shall describe all of the lands which will be either benefited
23 or damaged by such additional work, together with the names of the owners, when
24 known; and said commissioners may use any money in their hands not otherwise
25 appropriated to pay the necessary expenses of preparing said special report;
26 *provided*, said sum to be expended shall in no case exceed the sum of \$500.00; the
27 special report when prepared by the commissioners shall be filed with the clerk
28 of the county court, and the commissioners shall give to all persons whose lands
29 will be either benefited or damaged, whether they signed an application for addi-
30 tional work or not, three weeks' notice of the filing and hearing of such report in
31 the manner required by Section three (3) of this Act; said notice shall state
32 that the commissioners will appear before the county court at a day mentioned in
33 said notice, and ask said court for a confirmation of such special report; and
34 upon said hearing the court shall pass upon said report and may permit the
35 same to be amended, and if said report is confirmed and approved by the court, a
36 special assessment of benefits and damages shall be made upon all the lands
37 benefited or damaged by the proposed work, in the manner provided for the
38 making of the original assessments for the benefits and damages by this Act; and
39 like proceedings shall be had thereon as in other cases and assessments of benefits
40 and damages provided by this Act; and said commissioners shall have the power

41 to cause to be made additional assessments of benefits and damages for the same
42 purposes and with like proceedings as in cases of additional assessments of
43 benefits and damages made for original districts under this Act; and the said
44 commissioners may cause to be levied an assessment of annual benefits in said
45 sub-district in the same manner as annual benefits are levied in original districts
46 under this Act: *Provided*, that if said sub-district does not own or operate a
47 pumping plant, such annual benefits shall not in any one year amount to more
48 in the aggregate than a sum which would be produced by the levy of thirty cents
49 per acre on all the lands within said sub-district.

50 The affidavit of any of the commissioners, or any other credible person, of
51 the posting and mailing thereof affixed to a copy of said notice shall be sufficient
52 evidence of the posting and mailing of said notices, and the certificate of the
53 publisher of the newspaper in which said notice was published shall be sufficient
54 evidence of the publication of such notice.

55 Upon confirmation of said special report by the court, it shall be the duty
56 of the court to declare all the lands found to be affected by the work proposed
57 by said special report to be organized into a sub-district, and all assessments
58 received and collected in such sub-district, for the work of such sub-districts,
59 shall be kept as a separate fund belonging to such sub-district, and said commis-
60 sioners shall have the power, if necessary, to issue bonds against any assessment
61 or assessments in said sub-district in the same manner as bonds are issued in
62 original districts.

63 The commissioners of the principal district shall be ex-officio commissioners
64 of the sub-district.

65 Any lands lying outside of any sub-district as organized, the owner or own-
66 ers of which shall hereafter make connections with any ditch or drain within any
67 sub-district, or whose lands are or will be benefited by the work of such sub-
68 district, shall be deemed to have made voluntary application to be included in
69 such sub-district, and thereupon the commissioners shall make complaint as pro-
70 vided in Section 43 of this Act as to lands lying outside of a drainage district as

71 organized, and like proceedings shall be made thereon as in cases of complaints
 72 made under said Section 43.

ARTICLE VIII.

DRAINAGE COMMISSIONERS, THEIR ORGANIZATION, POWERS AND DUTIES AND SUCCESSION.

Sec. 46. OFFICIAL OATH.] Before entering upon the duties of their office all
 2 commissioners shall take and subscribe to an oath to faithfully discharge the
 3 duties of their office without favor or partiality, and to render a true account of
 4 their doings to the court, by which they are appointed or which has jurisdiction
 5 over the district at the time such report is due whenever required by law or order
 6 of the court, which oath shall be filed with the clerk.

Sec. 47. CHAIRMAN-SECRETARY.] They shall elect one of their number chair-
 2 man, and may elect one of their number as secretary.

Sec. 48. QUORUM.] A majority of the commissioners shall constitute a
 2 quorum, and a concurrence of a majority of their number in any matter within
 3 their duties shall be sufficient.

Sec. 49. DRAINAGE RECORD.] The commissioners shall, at the expense of the dis-
 2 trict, keep a well bound book, to be known as the "drainage record," which shall
 3 at all times be open for inspection to parties interested, in which one of their num-
 4 ber, as secretary, shall record the proceedings of every meeting thereof. They
 5 shall hold such meetings on the first Tuesdays of March, May, July and Septem-
 6 ber of each year, or oftener, if necessary. They shall make brief memoranda in
 7 such record of all their transactions concerning the district. If bonds have been
 8 issued, and sold, as a lien on any particular installment of assessments, or a gen-
 9 eral lien on all; or contracts have been let on any section or division of work; or
 10 orders issued on the treasurer; or materials or tools purchased; or warrants for
 11 service of a commissioner issued by the clerk; or sums paid, by order, for work
 12 done; all such proceedings and any other particular matter or transaction of

13 such commissioners shall be carefully entered upon such records, and the dates,
14 amounts and proper descriptions of such doings, shall at all times be observed
15 in making such memoranda. Said commissioners shall also take and preserve
16 proper vouchers for all orders given by them on the treasurer.

Sec. 50. REPORTS OF COMMISSIONERS.] The commissioners shall as often as
2 one in each year after their appointment, and as much oftener as the court shall
3 require, make a report to the court, showing the amount of money by them col-
4 lected and the manner in which the same has been expended; and upon the filing
5 of such report, the court shall set a time, not exceeding three weeks from such
6 filing, when such report shall be heard; and the commissioners shall give at least
7 ten days' notice thereof, by posting written or printed notices, in not less than
8 four of the most public places in the district, and one at the door of the court
9 house of the county in which said district was organized. Upon the time fixed the
10 court shall hear said report and all objections thereto, or may continue such
11 hearing to another time fixed; and upon hearing such report, may require evi-
12 dence, to be produced by the commissioners, in support thereof, and if found
13 correct, may approve such report. Upon the failure of the commissioners, or
14 either of them, to make such report, to the satisfaction of the court, as required
15 by this section, such commissioner or commissioners on the application of any
16 person interested, or the court without such application, shall remove such com-
17 missioner or commissioners from office.

Sec. 51. BOND OF COMMISSIONERS.] The commissioners appointed by virtue
2 of this chapter, shall not collect or receive any money for the purposes herein
3 specified, until they shall have given bond, payable to the people of the State of
4 Illinois for the use of all persons interested, in a sum not less than twice the
5 amount of the assessment for benefits, payable in any one year, or may come
6 into their hands or under their control during such year, with such security as
7 shall be approved by the judge of the court, conditioned for the faithful appli-
8 cation of all moneys that may be received by them as such commissioners, and to

9 make due account thereof to the court whenever required, by law or order of the
 10 court, and for the faithful performance of their duties as commissioners, which
 11 bond shall be filed in the court in which the proceedings are had. Such commis-
 12 sioners are hereby required to renew such bond, on or before the 15th day of Sep-
 13 tember, each year, after the appointment of them or either of them.

Sec. 52. PAY OF COMMISSIONERS.] The commissioners shall hold all their
 2 meetings for the transaction of business at any place in the county or counties in
 3 which said district is located, and shall receive for their services the sum of five
 4 dollars per day, and their necessary traveling expenses for each day they shall
 5 be actually engaged in the business of their office: *Provided*, that in districts
 6 having an area of more than seventy-five thousand acres, the commissioners
 7 shall receive four dollars per day for each day actually engaged in their official
 8 duties, together with their necessary traveling expenses. The commissioners
 9 shall present an itemized account, under oath, to the county court, of the amounts
 10 due them, respectively, which amount shall be audited at least once a year by said
 11 county court, and certified by said court to their treasurer, to be paid by him on
 12 said certificate. But such itemized account or accounts shall be subject to the
 13 approval of the court as provided by Section fifty (50) of this Act. The clerk of
 14 the county court shall receive for his services hereunder, such fees as are
 15 allowed by law for similar services in said county court.

Sec. 53. POWER OF COMMISSIONERS TO CONTRACT.] Upon the organization of
 2 said drainage district, it shall in its corporate name, by its commissioners from
 3 thenceforth, have power to contract and be contracted with, sue and be sued,
 4 plead and be impleaded and to do and perform, in the corporate name of said
 5 district, all such acts and things as may be necessary for the accomplishment of
 6 the purposes of this Act.

Sec. 54. POWER TO ENTER LANDS.] The commissioners from the time of
 2 their appointment may go upon the lands lying within said district for the pur-
 3 pose of examining the same, and making plans and surveys and after the organ-
 4 ization of said district, and payment or tender of compensation allowed, may

5 go upon said lands, with their servants, teams, tools, instruments, or other
6 equipments, for the purpose of constructing such proposed work, and may
7 forever thereafter enter upon said lands as aforesaid, for the purpose of main-
8 taining or repairing such proposed work, doing no more damage than the neces-
9 sity of the occasion may require; and any person or persons, who shall wilfully
10 prevent or prohibit any of such persons from entering such lands for the pur-
11 poses aforesaid, shall be fined any sums not exceeding \$25.00 per day for each
12 day's hindrance, to be recovered in an action of debt in favor of such drainage
13 district before any justice of the peace, or court of competent jurisdiction, which
14 sum shall be paid into the treasury for the use of said district.

Sec. 55. POWERS OF EMINENT DOMAIN.] Drainage and Levee districts

2 heretofore organized under any former Act, and drainage and levee districts
3 hereafter organized under this Act, when it shall become necessary to con-
4 struct drains, ditches or levees, either within or without said districts in order
5 to protect the lands embraced in said drainage and levee districts from inun-
6 dation and overflow, or repair, enlarge, raise, strengthen or protect drains,
7 ditches or levees already constructed or in process of construction, may, by
8 their agents and employees, enter upon and take possession of such lands, pay-
9 ing, if the owners of such lands and the commissioners of said drainage and
10 levee districts cannot agree, the value of such lands taken and the amount of
11 damages and the amount of damages occasioned thereby, to any such lands or
12 its appurtenances, and if such owners and commissioners of said drainage and
13 levee districts cannot agree, then the value of such land either within or with-
14 out said districts and the damages occasioned thereto may be ascertained,
15 determined and paid in the manner that may now or hereafter be provided by
16 any law of eminent domain. And the commissioners of said drainage and levee
17 districts when necessary to protect the lands of the said districts, the drains,
18 ditches or levees thereof, may put in such work as will protect the same and
19 they may go beyond the bounds of the said district for that purpose.

Sec. 56. POWER TO COMPEL OPENING OF WATERCOURSE.] When any ditch

2 drain or other work of enlarging any channel or watercourse is located by the

3 commissioners on the line of any natural depression or watercourse, crossing
 4 the road of any railroad company where no bridge or culvert or opening of
 5 sufficient capacity to allow the natural flow of water of such ditch or water-
 6 course, is constructed, it shall be the duty of the commisioners to give notice
 7 to such railroad company to construct or enlarge such bridge or culvert or
 8 opening in the grade of such road, for such ditch or ditches or other work, of
 9 the dimensions named in such notice, within twenty days from the service
 10 thereof; and any railroad company neglecting, failing, or refusing so to do,
 11 shall be liable to any owner of land in such district, for all damages to such
 12 land sustained by such neglect or refusal; and shall be liable to such district in
 13 the sum of twenty-five dollars (\$25) for each day such company shall have
 14 neglected or refused to construct such work, after the time fixed in such notice
 15 for constructing the same shall have expired, which damages or penalty may
 16 be recovered before a justice of the peace, if within his jurisdiction, or before
 17 any court of competent jurisdiction.

Sec. 57. POWER TO CLEAN OUT WATERCOURSE—MEANING OF DITCH.] The
 2 word ditch when used in this Act, shall be held to include any drain or water-
 3 course, and the petition for any drainage district shall be held to mean and in-
 4 clude any side, lateral spur, or branch ditch or drain, whether open, covered or
 5 tiled, or any natural watercourse into which such drains or ditches may enter
 6 for the purpose of outlet, whether such watercourse is situated in or outside of
 7 the district. And to secure complete draining of the lands within any drain-
 8 age district, the commisioners are hereby vested with full power to widen,
 9 straighten, deepen or enlarge any such watercourse, or remove drift wood or
 10 rubbish therefrom whether such watercourse is situated in ,outside of or be-
 11 low any drainage district; and, when it is necessary, straighten such natural
 12 watercourse by cutting of new channel upon other lands, the value of such
 13 lands to be occupied by such new channel, and damages, if any, made by such
 14 work may be ascertained and paid in the manner that is now or may hereafter

15 be provided by any law providing for the exercise of the right of eminent do-
16 main in force in this State. The expense of the work provided for in this sec-
17 tion shall be paid from moneys arising from assessments upon lands within the
18 district. This section shall apply to any and all drainage districts that have
19 been heretofore, or may hereafter be organized under this Act.

Section 58. POWER TO MAINTAIN DREDGE BOATS.] Whenever the commis-
2 sioners shall deem it necessary for their district to own, maintain and operate
3 one or more dredge boats for the construction and preservation of its drains,
4 ditches and levees, they may with the approval of the county court then having
5 jurisdiction, purchase, or build, and maintain and operate one or more dredge
6 boats for the purposes aforesaid and pay for the same out of any funds of said
7 district arising from any special assessment heretofore or hereafter levied for
8 the construction and maintenance of the reclamation system of said district.

Sec. 59. REFUSAL, ETC. TO PERFORM DUTY.] If any commissioner shall
2 refuse or neglect to discharge any of the duties imposed upon him, by virtue
3 of this Act, he shall for every such refusal or neglect, be liable to the party ag-
4 grieved, for all damages sustained by him, and upon conviction, may be fined
5 in any sum not exceeding one hundred dollars (\$100.00), and be removed from
6 his office.

Sec. 60. REMOVAL OF COMMISSIONERS—FILLING VACANCIES.] The court
2 may, for good cause, at any time, remove any commissioner appointed by it,
3 and appoint another in his place, and may fill all vacancies caused by death,
4 resignation, removal or otherwise.

Sec. 61. SUCCESSION OF COMMISSIONERS.] On the first Monday of Sep-
2 tember, in each district heretofore organized, and on the first Monday of Sep-
3 tember after any district may hereafter be organized under this Act, the county
4 court shall appoint three commissioners for each respective district, one to
5 serve one year, one two years, and one for three years from the date of the first

6 appointment under this section, and on the first Monday of September of each
 7 year thereafter the said court shall appoint one commissioner of said dis-
 8 trict who shall hold his office for three years, and until his successor is chosen
 9 and qualified, but in all districts now organized or hereafter to be organized
 10 for the construction, reparation and protection of drains, ditches and levees
 11 for agricultural purposes, the court shall appoint as commissioner or commis-
 12 sioners, only such persons as shall be petitioned for by adult land owners rep-
 13 resenting a majority of the acreage embraced in the district: *Provided*, such
 14 petition is filed in said court on or before the first day of September aforesaid.
 15 In case such petition is not filed, as aforesaid, then said court, within ten days
 16 after the said first Monday in September, shall appoint some suitable person
 17 or persons as commissioner or commissioners of said district without such pe-
 18 tition.

Sec. 62. CHANGE TO SINGLE COMMISSIONER.] At any time after the drains,
 2 ditches or levees, for the construction of which the district was organized, have
 3 been finally completed, the court may, on petition therefor, as aforesaid, dis-
 4 pense with two commissioners, and thereafter appoint for such district, in ac-
 5 cordance with this Act, but one commissioner, such one commissioner to hold
 6 office for the term of three years from his appointment and until his successor
 7 is chosen and qualified, and he shall perform the duties and exercise the pow-
 8 ers thereof vested and imposed upon the three commissioners of such district.
 9 Whenever, upon the petition of one or more land owners of said district, it shall
 10 appear to the court that additional work is needed in said district, the court
 11 may again appoint three commissioners for said district.

ARTICLE IX.

PENALTIES.

Sec. 63. PENALTIES FOR INJURING, ETC., ANY DRAIN.] Any person who shall
 2 wrongfully and purposely fill up, cut, injure, destroy or in any manner impair
 3 the usefulness of any drain, ditch or other work, constructed under this Act, or

4 heretofore constructed under any law of this State, or that may have been hereto-
5 fore, or may hereafter be voluntarily constructed for the purposes of drainage
6 or protection against overflow may be fined in any sum not exceeding two hun-
7 dred dollars, to be recovered before a justice of the peace in the proper county,
8 or if the injury be to any levee whereby lands shall be overflowed, he may on
9 conviction in any court of competent jurisdiction, be fined in any sum not exceed-
10 ing five thousand dollars; and shall be deemed guilty of a felony and imprisoned
11 in the State penitentiary for a term of not less than one, nor more than five
12 years, at the discretion of the court. All complaints under this section shall be
13 in the name of the People of the State of Illinois, and all fines, when collected,
14 shall be paid over to the proper commissioners, to be used for the work so
15 injured.

Sec. 64. CIVIL LIABILITY FOR DAMAGES.] In addition to the penalties pro-
2 vided in the preceding section, the person so wrongfully and purposely filling up,
3 cutting, injuring, destroying or impairing the usefulness of any such drain, ditch,
4 levee or other work, by obstructing or filling up of any natural stream or outlet,
5 within or beyond the drainage district shall be liable to the commissioners
6 having charge thereof, for all damages occasioned to such work, and to the
7 owners and occupants of land for all damages that may result to them by such
8 wrongful act, which may be recovered before a justice of the peace, if within
9 his jurisdiction, or before any court of competent jurisdiction.

ARTICLE X.

MISCELLANEOUS.

Sec. 65. NO SECOND TAX—UPPER DITCH BENEFITED BY LOWER DITCH.] When a
2 ditch or drain of a district has been located under the provisions of this Act, of
3 sufficient capacity to carry off the water that flows into it, and also to properly
4 drain the land assessed for the construction of the same, such land shall not
5 again be assessed for the purpose of improving any lands of any drainage dis-
6 trict lying above the lands so drained and assessed.

Sec. 66. OUTLET DRAINAGE DISTRICTS.] When any river or other stream or
2 watercourse in this State constitutes the common outlet for two or more drainage
3 districts heretofore or hereafter organized under any of the laws of this State,
4 and also constitutes the outlet for the drainage of lands not organized into a
5 drainage district, and when it will be a benefit to the lands included in said
6 drainage districts and to said lands not so included but having said river or
7 watercourse as the outlet for drainage, for agricultural or sanitary purposes,
8 that said river, watercourse or other stream or any portion thereof constituting
9 such common outlet be deepened, widened or otherwise improved or that the
10 channel thereof be changed or straightened, an outlet drainage district may be
11 organized in the manner provided in this Act for the organization of drainage
12 districts, and all lands benefited by so deepening, widening or otherwise im-
13 proving or by changing or straightening the channel of such river or water-
14 course may be included within the boundaries of such outlet drainage district,
15 and it shall not constitute any objection to the inclusion of any lands in such
16 outlet drainage district that said lands had been theretofore included in a drain-
17 age district organized under the general provisions of this Act, or under any
18 other law of this State. That commissioners of such outlet drainage district may
19 be appointed at the time and in the manner and with the qualifications provided
20 in this Act for the appointment of commissioners of drainage districts, and
21 except as herein limited with like powers and duties: *And, provided, further,*
22 that special assessments may be levied on the lands or other property included
23 in said outlet district, and which will be benefited by the improvements or other
24 work proposed in said outlet district in the same manner as assessments for
25 benefits are provided in levee and drainage districts organized under this Act, to
26 pay the costs of constructing such improvements or other work, together with
27 the cost of all proceedings therefor. But neither said outlet drainage district
28 nor its commissioners or officers shall have any right to make any assessments
29 against any of the lands included in said outlet drainage district for any pur-
30 pose except to deepen or widen or otherwise improve the channel of said river or

31 watercourse so constituting an outlet for the drainage of the lands included in
32 said outlet drainage district or to change or straighten the channel thereof, nor
33 to construct any other drainage work except to deepen, widen or otherwise im-
34 prove the channel of such river or watercourse or to change or straighten the
35 channel thereof: *And, provided, further,* that insofar as may be, except as
36 herein limited and restricted, all the provisions of this Act with reference to
37 drainage districts organized thereunder shall apply to an outlet drainage district
38 so organized under this section: *And, provided, further,* that when it becomes
39 necessary said outlet drainage district may acquire lands for right of way for
40 and improvement constructed by it in the same manner as drainage and levee
41 districts organized under this Act may acquire right of way and may so acquire
42 said right of way either within or without the boundaries of an organized drain-
43 age district theretofore organized: *And, provided, further,* that no outlet drain-
44 age district organized under this section shall remove, destroy, appropriate or
45 use any levee, drain, ditch or art thereof, or other work of any drainage district
46 organized under any laws of this State without paying such drainage district
47 just compensation therefor. *And, provided, further,* that the inclusion of lands
48 within an outlet drainage district which are not in any other drainage district,
49 shall not, after the organization of such outlet district, prevent the formation of
50 drainage districts under the general provisions of this or other Acts including
51 such lands, nor their annexation to other drainage districts except outlet districts.
52 In case the commissioners of said outlet drainage district and the corporate
53 authorities of any such drainage district shall be unable to agree upon the com-
54 pensation to be paid to such drainage district, the same may be ascertained and
55 enforced by any proper proceedings in any court of competent jurisdiction.
56 Upon payment of such compensation, said outlet district shall have the right to
57 appropriate such levees, ditches, drainage or other work within the boundary of
58 such outlet district for and in connection with the purposes for which said outlet
59 district is organized.

Sec. 67. MUTUAL DRAINAGE DISTRICTS.] Owners of lands which require combined drainage and protection from overflow, may form drainage and levee districts, by mutual agreement, to include lands, of their own only, by an instrument in writing duly signed and acknowledged and recorded in the drainage record. The mutual agreement may include the location and character of work to be done; the adjustment of damages; the amount of taxes to be levied; the apportionment thereof; how the work shall be done, or so much of these, or more, as may be agreed upon, and to this extent shall be as valid as though formed in the mode as hereinbefore provided, and may ask the judge of the County Court to appoint three commissioners whose powers and duties thereafter shall be the same as prescribed by other districts, and they shall commence acting at the point reached at the aforesaid agreement: *Provided*, that the said agreement may include the selection of three drainage commissioners from their own number or from others, and their terms of office shall be until the first Monday of September thereafter, or for this term and for one year in addition, as may be agreed at the time of their appointment, and at the annual meeting thereafter the majority of the land owners may choose, by ballot, three commissioners to serve, one for one year, one for two years, and one for three years from the date of appointment, and on the first Monday of each year thereafter the land owners may elect one commissioner of said district who shall hold his office for three years and until his successor is chosen and qualified. The powers and duties of the commissioners of a district by mutual agreement, and the mode and effect of special assessments, shall be the same as provided for other districts organized under this Act, and all the powers, rights.

Sec. 68. LAWFUL TO INCLUDE IN DRAINAGE DISTRICT ALL LANDS PROTECTED FROM INUNDATION, ETC.] In the organization of drainage districts under this Act, where the works of the district include the construction of levees to protect the lands within said district from inundation and overflow, and the installation of a pumping plant, it shall be lawful to include within the boundaries of

6 said district all the lands protected from inundation and overflow and all lands
7 benefited by reason of the construction of levees, and the installation of said
8 pumping plant, regardless of whether or not any of said lands are included
9 within the boundaries of any other district organized under the laws of the
10 State of Illinois, the works of which district consist only of ditches and drains
11 and do not include the construction of levees and the installation of pumping
12 plants.

Sec. 69. REORGANIZATION OF OTHER DISTRICTS UNDER THIS ACT.] When-
2 ever a petition, signed by the owners of lands situated in any drainage dis-
3 trict organized under any unrepealed law of this State, equal in number to
4 one-fifth of the adult owners of lands in such district, shall be presented to the
5 town clerk of the township in which the lands of such district, or a major
6 part thereof lie, or the commissioners of any drainage district not under town-
7 ship organization, praying to submit the question whether such district will
8 become organized as a drainage district under this Act, to the decision of the
9 adult owners of lands in such district, it shall be the duty of the town clerk, or
10 such commissioners, to submit the same accordingly; and to fix the time and
11 place within such district for holding such election and make a record thereof;
12 and to appoint the three judges to hold such election; and to give notice of the
13 time and place and purpose of such election, by causing at least five notices
14 thereof to be posted in public places in such district, for at least fifteen days
15 prior to holding such election. Each owner residing within or out of such dis-
16 trict shall have the right to cast a ballot at such election, with the words there-
17 on, "for organization under the Revised Levee Act," or "against organization
18 under the Revised Levee Act;" the judges of such election shall be sworn as
19 required by law in force concerning State and municipal elections, and shall
20 make returns of the poll-books of such election, as soon as practicable, after the
21 election is held, to the clerk of the County Court of the county in which such
22 district or the greater part of the land thereof are situated. The clerk of the

23 County Court or justice of the peace, to whom such returns have been made,
 24 shall canvass such returns and cause a statement of the result of such election
 25 to be entered of record, and if a majority of the votes are "for organization
 26 under the Revised Levee Act," the officer canvassing such returns, shall send
 27 a certified copy of such record to the town clerk, or other officer having in his
 28 custody the records of such district, whose duty it shall be to file and record
 29 such certified copy of the result of such election, in the drainage record of such
 30 district; and such district shall, from thence forth, be deemed to be duly incor-
 31 porated as a drainage district, under this Act, and all further proceedings and
 32 work of such district shall, thereafter, be in the manner provided by this Act,
 33 but the officers of such district then in office shall continue as like officers of such
 34 district, until their successors shall be appointed and qualified under the pro-
 35 visions of this Act. It shall be the duty of the drainage commissioners, treas-
 36 urer and other officers of any drainage district, whose terms of office expire, by
 37 reason of adopting the organization under this Act, or whenever a successor
 38 or successors to any or either of the officers provided by this Act shall have
 39 been appointed and qualified, to transfer and deliver all moneys, books and
 40 papers appertaining to his office, to such successor or successors in office.

REPEAL AND SAVING.

Sec. 69. The following Act are hereby repealed:

2 "An Act to provide for the construction, reparation and protection of
 3 drains, ditches and levees, across the lands of others for agricultural, sanitary
 4 and mining purposes, and to provide for the organization of drainage dis-
 5 tricts," approved and in force May 29, 1879, and all amendments thereto."

6 "An Act to authorize certain drainage and levee districts to organize,
 7 maintain and operate dredge boats for the construction and presentation of
 8 drains, ditches and levees," approved and in force May 16, 1905.

Sec. 70. The provisions of this Act so far as they are the same as those
 2 of existing statutes, shall be construed as a continuation thereof, and not as a

3 new enactment, and a reference in a statute which has not been repealed, to
4 provisions of the law which have been revised and re-enacted herein, shall be
5 construed as applying to such provisions as so incorporated in this Act.

6 The repeal of a law by this Act shall not affect any Act done, ratified or
7 confirmed, or any right accrued or established, or any penalty incurred under
8 the provisions of such law.

Sec. 71. If any clause, sentence, paragraph or part of this Act shall be
2 adjudged by any court of competent jurisdiction to be invalid or unconstitu-
3 tional, such judgment shall not affect, impair, invalidate or nullify the remain-
4 der of this Act, but the effect thereof shall be confined to the clause, sentence,
5 paragraph, or part thereof immediately involved in the controversy in which
6 such judgment or decree shall be rendered.

Sec. 72. All drainage districts in process of organization or exercising
2 any functions under any law repealed herein shall proceed under the provis-
3 ions of this Act as a continuation of said repealed law saving all rights as pro-
4 vided in section 69 herein.

5 In the several counties, courts of record now having jurisdiction of drain-
6 age districts shall retain jurisdiction under this Act. The records of drainage
7 districts organized before justices of the peace, shall together with a trans-
8 cript of the docket of such justices relating to said districts be transmitted to
9 the county court of the same county and all future proceedings in such dis-
10 tricts shall be had in such county court.

1 Adopted May 24, 1921.

AMENDMENT NO. 1.

Amend printed House Bill No. 796, on page 11, in Section 15, line 2, after
2 the word "record" by inserting the words and figures "as provided in Sec-
3 tion 14."

AMENDMENT NO. 2.

Amend printed House Bill No. 796, on page 11, in Section 16, line 15, by
2 striking out the words and figures "thirty-eight (38), thirty-nine (39)" and
3 inserting in lieu thereof the words and figures "thirty-nine (39), forty (40)."

AMENDMENT NO. 3.

Amend printed House Bill No. 796, on page 15, in Section 19, line 23, by
2 striking all of line 23 and inserting in lieu thereof the following: "in each
3 tract and the amount of benefits assessed, if any, and the amount of dam-"

AMENDMENT NO. 4.

Amend printed House Bill No. 796, on page 36, in Section 43, line 34, by
2 striking out the colon after the word "assessed" and inserting in lieu thereof
3 a period.

AMENDMENT NO. 5.

Amend printed House Bill No. 796, on page 40, by re-numbering "ARTI-
2 CLE VIII" so as to read "ARTICLE IX."

AMENDMENT NO. 6.

Amend printed House Bill No. 796, on page 41, in Section 50, line 2, by
 2 striking out the word "one" and inserting in lieu thereof the word "once."

AMENDMENT NO. 7.

Amend printed House Bill No. 796, on page 41, in Section 50, by striking
 2 out all of lines 15 and 16, and inserting in lieu thereof the following: "by this
 3 Section, the court on the application of any persons interested, or without
 4 such application, shall remove such com--"

AMENDMENT NO. 8.

Amend printed House Bill No. 796, on page 41, in Section 51, by striking
 2 out all of line 5 and inserting in lieu thereof the following: "amount of the
 3 assessment for benefits, which is payable in any one year, or which may come"

AMENDMENT NO. 9.

Amend printed House Bill No. 796, on page 42, in Section 52, by striking
 2 out all of lines 5, 6, 7 and 8 and inserting in lieu thereof the following: "be
 3 actually engaged in the business of their office. The commissioners"

AMENDMENT NO. 10.

Amend printed House Bill No. 796, on page 42, in Section 52, line 10, by
 2 striking out the word "amount" and inserting in lieu thereof the word
 3 "account."

AMENDMENT NO. 11.

Amend printed House Bill No. 796, on page 44, in Section 57, line 11, after
 2 the word "necessary," by striking out the comma and inserting in lieu thereof
 3 the word "to."

AMENDMENT NO. 12.

Amend printed House Bill No. 796, on page 46, by re-numbering "ARTI-
 2 CLE IX" so as to read "ARTICLE X."

AMENDMENT NO. 13.

Amend printed House Bill No. 796, on page 47, by re-numbering "ARTI-
2 CLE X" so as to read "ARTICLE XI."

AMENDMENT NO. 14.

Amend printed House Bill No. 796, on page 50, in Section 67, by striking
2 out the period in line 24, and adding at the end of said section the following:
3 "and benefits of every kind given to drainage districts organized by petition
4 to the County Court shall be had by drainage districts organized by mutual
5 agreement, and districts organized by mutual agreement may do as fully all
6 work mutually agreed upon, as though surveys, plats and profiles, etc., were
7 made and filed in said matter, and contract for work to be done in said district
8 may be let in part, or the whole of said work may be let in one contract as is
9 provided in this Act, as seems to be for the best interest of the parties con-
10 cerned."

AMENDMENT NO. 15.

Amend printed House Bill No. 796, on page 50, in Section 68, line 3, by
2 striking out the comma after the word "Act" and inserting in lieu thereof the
3 words "or former Acts."

AMENDMENT NO. 16.

Amend printed House Bill No. 796, on page 52, in second Section 69, line 1,
2 by adding after the word and figures "Sec. 69" the figure " $\frac{1}{3}$."

AMENDMENT NO. 17.

Amend printed House Bill No. 796, on page 52, in second Section 69, line 7,
2 by striking out the word "presentation" and inserting in lieu thereof the word
3 "preservation."

AMENDMENT NO. 18.

Amend printed House Bill No. 796, on page 53, in Section 72, line 4, by
2 striking out the figures "69" and inserting in lieu thereof the figures "70."

AMENDMENT NO. 19.

Amend printed House Bill No. 796, on page 2, in Section 2, lines 14 and 15,
 2 by striking out the words "or circuit court, as hereinafter provided."

AMENDMENT NO. 20.

Amend printed House Bill No. 796, on page 4, in section 4, line 35, after
 2 the words "circuit courts" by inserting the words "or the superior court of
 3 Cook County."

AMENDMENT NO. 21.

Amend printed House Bill No. 796, on page 14, in section 18, by striking
 2 out all of lines 37, 38 and 39 and inserting in lieu thereof the following: "own
 3 expense construct and maintain such bridge, culvert or other work. Any bridge
 4 or culvert temporarily removed by the commissioners in doing the work of said
 5 district shall be replaced at the cost of the drainage district."

AMENDMENT NO. 22.

Amend printed House Bill No. 796, on pages 8 and 9 by striking out all of
 2 section eleven (11) and inserting in lieu thereof the following:

3 "Section 11. After the appointment of the commissioners as provided for
 4 in Section five (5) of Article I of this Act, the cause shall be continued by the
 5 court to a day certain for the filing of their report and in the event said com-
 6 missioners are not ready to report on the day fixed they may appear before the
 7 court and obtain continuance or continuances until said report is ready to be
 8 filed, but such continuance or continuances shall in each instance be to a day
 9 certain and all persons interested shall take notice of any such continuance or
 10 continuances;

11 Provided, that if for any reason the commissioners' report is not filed and
 12 no order containing said cause to another day certain for the filing of the com-
 13 missioner's report is entered by the court on the day set or any continuance
 14 thereof previously fixed by the court, then and in that case the commissioners

15 may proceed with preparation of their report and when said report is ready
16 to be filed may file the same in the office of the Clerk of the court, accompanied
17 by a petition signed by the commissioners stating that on the last day certain
18 fixed by the court for the filing of said report they were not ready to file the
19 same and omitted or failed to appear before the court to obtain a continuance
20 to another day and that no order of cointinuance was entered by said court and
21 praying that the court assume jurisdiction over said report and all proceedings
22 in the matter from the time of the filing of said original petition to organize
23 said district and praying further that the court fix a day certain for the hearing
24 on said commissioners' report and direct the Clerk of the court to give notice
25 of such day. Upon the filing of said report accompanied by said petition the
26 court shall enter an order fixing a day certain for the hearing on said report
27 and for giving of notice thereof, directing that such Clerk shall thereupon
28 cause three weeks' notice of the presentation and filing of said report accom-
29 panied by said petition to be given addressed, "To all persons interested" by
30 posting notices thereof at the front door of the Court House of the county or
31 counties in which the district is situated and in at least ten of the most public
32 places in such district and also by publishing a copy thereof once a week for
33 three successive weeks in some newspaper published in the county from which
34 the larger part of said district is to be formed. Such motion shall state when
35 and where said report accompanied by said petition, was filed, the title of the
36 court, the names of the commissioners who signed said report and petition, the
37 name of the district mentioned in the original petition to organize the district,
38 and the day fixed by the court for hearing on said report. The court shall there-
39 upon have and obtain jurisdiction to proceed with, hear, and determine all
40 matters pertaining thereto and it shall thereupon be the duty of said court to
41 assume such jurisdiction and to thereafter proceed in the matter of said drain-
42 age district in all respects in the same manner as if said report had been filed
43 and hearing on the same had been had on a day certain or continuance thereof
44 fixed by order of court. When the commissioners file their report with the Clerk

45 of the court appointing such commissioners on the day originally fixed by the
46 court, or continuance thereof, no notice of the filing of said report shall be nec-
47 essary and the court shall fix a day not less than ten days, nor more than four
48 weeks from the filing thereof for the hearing thereon: Provided, further that
49 in case the commissioners shall recommend that additional lands be embraced
50 within the proposed district the owner or owners of such lands shall be given
51 notice by the commissioners in the manner and for the time provided by Section
52 3 of this Act.

53 At the time of the hearing all persons may appear and contest the con-
54 firmation of said report or show that additional drains, ditches or other work
55 should be constructed or that the report ought to be modified in any particular
56 and may offer any competent evidence in support therein and the said report
57 of said commissioners shall be prima facie evidence of the facts therein set
58 forth.



- 1 Introduced by Committee on Roads and Bridges, May 12, 1921.
- 2 Substitute for House Bills Nos. 704 and 705.
- 3 Read at large a first time, ordered printed and to a second reading.

A BILL

For an Act to impose a license tax on persons engaged in the business of selling motor fuel.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* After the first day of August, 1921, no
3 person shall engage in the business of selling motor fuel, without having a
4 license so to do, secured from the Secretary of State.

5 “Motor fuel” means all volatile and inflammable liquids produced or com-
6 pounded for operating motor vehicles, such as gasoline, distillate, naptha and
7 liberty fuel. It does not include kerosene oil.

Sec. 2. Every person desiring to engage in the business of selling motor
2 fuel, shall make application to the Secretary of State on blanks furnished by
3 that officer and shall, in the application, furnish to the Secretary of State, such
4 information under oath as he may deem necessary. The Secretary of State shall,

5 upon the receipt of an application in proper form, issue to the applicant a
6 license to engage in the business of selling motor fuel.

Sec. 3. The licenses required by this Act must be renewed annually, on or
2 before the first day of August of each year.

Sec. 4. Every person licensed under this Act and engaging in the business
2 of selling motor fuel shall, between the first and tenth days of each month, make
3 return under oath, to the Secretary of State, showing the amount of motor fuel
4 bought and the amount sold during the preceding month. The monthly returns
5 shall be made on forms prepared and furnished by the Secretary of State, and
6 shall furnish such other information as he may require.

Sec. 5. At the time of making the monthly return of business done, the
2 licensee shall pay as a license tax to the Secretary of State, one cent for each
3 gallon of motor fuel sold by him during the period covered by the return.

4 All money received by the Secretary of State as license taxes under this Act
5 shall be deposited in the special fund in the State treasury known as the Second-
6 ary Road Fund, and appropriations shall be made from that fund only for the pur-
7 pose of paying the State's share for the construction or improvement of State
8 Aid Roads with gravel, crushed rock or macadam: *Provided, however,* that
9 until July 1, 1925, the whole or any part of the Secondary Road Fund shall be
10 available for the construction of any type of roads in the State of Illinois.

Sec. 6. It is the duty of every licensee under this Act, to keep records and
2 books showing the business transacted, and the Secretary of State is authorized
3 to make reasonable rules and regulations relating to the method of keeping
4 records and books.

Sec. 7. The Secretary of State shall appoint inspectors in such number as
2 he may deem necessary, for the purpose of inspecting and auditing the books
3 and records of licensees. It is the duty of licensees to submit all such records
4 for examination, upon the demand of the Secretary of State, or his inspectors.

Sec. 8. Whoever:

2 1. Engages in the business of selling motor fuel, after August 1, 1921,
3 without having a license so to do; or

4 2. Wilfully fails or refuses to make the monthly returns, as required by
5 Section 5; or

6 3. Wilfully fails or refuses to pay the license tax, as provided in Section 5;
7 or

8 4. Violates any reasonable rule or regulation of the Secretary of State
9 relating to the keeping of books and records of business done; or

10 5. Refuses, upon demand, to submit for inspection, books and records per-
11 taining to business done;

12 Is guilty of a misdemeanor, and shall be fined not less than twenty-five dol-
13 lars (\$25.00), nor more than five hundred dollars (\$500.00), or imprisoned not
14 longer than six months, or be both fined and imprisoned.

15 In addition, if the violation consists in the failure to pay the license tax
16 required, the licensee shall be liable civilly for the amount of tax due, together
17 with all costs.

18 Whoever wilfully and knowingly makes any false monthly return or report
19 under oath to the Secretary of State as to any material fact required by Section
20 4 or by the regulations of the Secretary of State, is guilty of perjury.

Sec. 9. All sales of motor fuel made in the course of interstate commerce
2 are exempted from the provisions of this Act.



- 1 Introduced by Mr. Chas. Curren, (by request), May 12, 1921.
- 2 Read by title, ordered printed and referred to Committee on Efficiency and Economy.

A BILL

For an Act to amend Section 21 of "An Act in relation to the civil administration of the State government, and to repeal certain Acts therein named," approved March 7, 1917, in force July 1, 1917, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Section 21 of "An Act in relation to the civil administration of the State government, and to repeal certain Acts therein named," approved March 7, 1917, in force July 1, 1917, as amended, is amended to read as follows:

Sec. 21. All employees in the several departments shall render not less than seven hours of labor each day, Saturday afternoon, Sundays and days declared by the Negotiable Instrument Act to be holidays except in cases in which in the judgment of the director, the public service will not thereby be impaired.



- 1 Introduced by Mr. Weiss, May 12, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to Regulate the Sale of Beverages at Retail.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* The provisions of this Act shall apply
3 to every place, except bona fide drug stores, where any beverage is sold, offered
4 or kept for sale at retail, and the business of selling, offering or keeping for sale
5 at retail of any beverage shall be known as a beverage business.

Sec. 2. Any room in which a beverage business is conducted shall be so
2 constructed and maintained that a clear view of the interior of such place may
3 be had from the street on which such business is located, and shall be free
4 from any screens, partitions, fixtures or obstructions, either in the doors, win-
5 dows approaches, or inside said room, which may interfere with a clear view
6 from the street: *provided, however,* that any room in which such business is
7 conducted, not located on the ground floor or which does not directly front or

8 abut on any street, shall be so constructed and maintained that a clear view
9 of the interior thereof may be had from any entrance to said room.

Sec. 3. Any peace officer is authorized to inspect at any time the premises
2 where any beverage business is conducted, or any other premises used or oper-
3 ated in connection therewith.

Sec. 4. No person, firm, or corporation shall permit on its premises
2 where any beverage business is conducted any act or practice prohibited by
3 law.

Sec. 5. Any person, firm, or corporation convicted of a violation of any
2 of the provisions of this Act shall for a first offense be punished by a fine of not
3 less than \$100 nor more than \$300, or imprisonment in the County jail for not
4 less than sixty days nor more than three months, or both, and for a second
5 or subsequent offense by a fine of not less than \$300 nor more than \$500 and
6 imprisonment in the County jail not less than ninety days nor more than six
7 months, or both.

Sec. 6. If any section or provision of this law shall be held to be invalid,
2 it is hereby provided that all other provisions of this Act, which are not ex-
3 pressly held to be invalid, shall continue in full force and effect.



- 1 Introduced by Mr. Bentley, May 12, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judicial Department and Practice.

A BILL

For an Act to amend Section 7 of "An Act to revise the law concerning the time of holding the terms of circuit courts and of the calling of juries in the several judicial circuits, exclusive of Cook County," approved June 23, 1915, in force July 1, 1915, as amended.



SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Section 7 of "An Act to revise the law concerning the time of holding the terms of circuit courts and of the calling of juries in the several judicial circuits, exclusive of Cook County," approved June 23, 1915, in force July 1, 1915, as amended, is amended to read as follows:

Sec. 7. (Sixth Circuit.) In the County of Champaign, on the third Monday in January, the third Monday in April and the third Monday in September of each year; in the County of Douglas on the second Monday in March, and the second Monday in October; in the County of Moultrie on the fourth Monday in September and the first Monday in March; in the County of Macon on the second Monday in January, the second Monday in May, and the first Monday in

7 October; in the County of DeWitt on the *fourth Monday in February*; on the
8 *fourth Monday in May* and the *fourth Monday* in September; in the County of
9 Piatt on the first Monday in October, the first Monday in February and the
10 second Monday in June: Provided, that there shall be no grand or tra-
11 verse jury summoned for said June term of court for said Piatt County, unless
12 by special order of the judge of the said court, which order may be made in term
13 time or in vacation: *And, provided*, all process issued after the passage of this
14 Act shall be returnable to said terms as herein fixed.

Sec. 2. Because of an emergency this Act shall take effect upon its passage.



1. Introduced by Mr. Chas. Curren, May 17, 1921.
2. Read by title, ordered printed, and referred to Committee on Revenue.

A BILL

For an Act to amend Section 202 of an Act entitled, "An Act for the assessment of property and for the levy and collection of taxes," approved March 30, 1872, in force July 1, 1872, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 202 of an Act entitled, "An Act
3 for the assessment of property and for the levy and collection of taxes,"
4 approved March 30, 1872, in force July 1, 1872, as amended, is amended to read
5 as follows:

Sec. 202. The person at such sale offering to pay the amount due on each
2 tract or lot for the least percentage thereon as penalty, shall be the purchaser
3 of such tract or lot: *Provided*, that no bid shall be accepted for a penalty exceed-
4 ing twenty-five per cent (25%) of the amount of such tax or special assess-
5 ment.



- 1 Introduced by Mr. Flack, May 17, 1921.
- 2 Read by title, ordered printed, and referred to Committee on Education.

A BILL

For an Act to amend Section 89a of "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 89a of "An Act to establish and
3 maintain a system of free schools," and approved and in force June 12, 1909, as
4 amended, is amended to read as follows:

Sec. 89a. Upon the receipt of a petition signed by fifty or more legal voters
2 residing in any contiguous and compact territory, whether in the same or different
3 townships, described in the petition, the county superintendent of schools of the
4 county in which the territory or the greater part thereof is situated, shall order
5 an election to be held for the purpose of voting for or against the proposition
6 to establish a community high school, by posting for at least *twenty-one days* in
7 ten of the most public places throughout said territory *and by publishing for at*
8 *least two successive weeks in a newspaper of general circulation published*
9 *within the proposed territory or if there be no such newspaper, then in a news-*

10 *paper of general circulation published in the county seat or county seats of the*
 11 *county or counties in which all or a portion of the proposed territory is situate,*
 12 *notices which may be substantially in the following form:*

13 NOTICE OF ELECTION.

14 Notice is hereby given that on....., the.....day of
 15, 19...., an election will be held at.....
 16 for the purpose of voting for or against the proposition to establish a commu-
 17 nity high school for the benefit of the inhabitants of the following described con-
 18 tiguous and compact territory, to-wit:.....
 19 The polls will be opened at.....
 20 o'clock.... m., and closed at....o'clock....m. of the same day.

21 A..... B.....

22 County Superintendent.

23 Dated this....., 1919.

24 The county superintendent of schools shall establish one or more polling
 25 places within the territory described in the petition and appoint two judges and
 26 a clerk for each polling place. The ballots shall be in substantially the following
 27 form, to-wit:

28 OFFICIAL BALLOT.

For the establishment of a community high school.	
Against the establishment of a community high school.	

29 The voter shall make a cross-mark in the square following and opposite the
 30 proposition favored and the ballot shall be so counted. The returns shall be
 31 made to the county superintendent of schools within five days.

32 If a majority of the votes cast at the election shall be in favor of establish-
 33 ing a community high school, the county superintendent of schools shall forth-
 34 with order an election to be held within 30 days, for the purpose of selecting a
 35 community high school board of education to consist of five members, by posting

36 notices for at least 10 days in ten of the most public places throughout the dis-
 37 trict, which notices shall be substantially as follows:

37 NOTICE OF ELECTION.

38 Notice is hereby given that on.....the.....day of.....,
 39 19...., an election will be held at.....for the purpose of electing a
 40 community high school board of education, to consist of five members. The
 41 polls will be opened at.....o'clock....m., and closed at.....o'clock....m.
 42 of the same day.

43 A....., B.....
 44 County Superintendent.

45 Dated this....., 1919.

46 The county superintendent of schools shall establish one or more polling
 47 places within the district and appoint two judges and a clerk for each polling
 48 place. The returns shall be made to the county superintendent of schools within
 49 five days.

50 Within ten days after their election the members of the community high
 51 school board of education shall meet and organize by electing one of their num-
 52 ber president and by electing a secretary; also, determine by lot the time each
 53 member is to serve. Two of the members shall serve for one year, two for two
 54 years and one for three years, from the second Saturday in April next preced-
 55 ing their election. At the expiration of the term of office of any member or mem-
 56 bers, a successor or successors shall be elected, each of whom shall serve for
 57 three years. All subsequent elections shall be held on the second Saturday in
 58 April, annually. The manner of holding elections shall be governed by Section
 59 86 of this Act. In case of a vacancy the remaining members shall appoint a suc-
 60 cessor for the unexpired term. It shall be the duty of the community high school
 61 board of education to establish at some central point most convenient to a major-
 62 ity of the pupils of the district a community high school with a program of
 63 studies extending through four school years.



1 Adopted June 2, 1921.

AMENDMENT NO. 1.

Amend House Bill No. 802, by striking out of the printed bill on page 1, line
2 6 of Section 89a, the word "twenty-one" and inserting in lieu thereof the word
3 "fourteen."



- 1 Introduced by Mr. Holten, May 17, 1921.
- 2 Read by title, ordered printed, and referred to Committee on Elections.

A BILL

For an Act to amend Sections 1 and 3 of “An Act to provide for the compensation of judges and clerks of elections at elections at which trustees of schools and school directors are elected under the provisions of an Act entitled, ‘An Act to regulate the holding of elections and declaring the results thereof in cities, villages and incorporated towns of this State,’ approved June 19, 1885,” approved June 3, 1889, in force July 1, 1889.



SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Sections 1 and 3 of “An Act to provide
3 for the compensation of judges and clerks of elections at elections at which
4 trustees of schools and school directors are elected under the provisions of an
5 Act entitled, ‘An Act to regulate the holding of elections and declaring the
6 results thereof in cities, villages and incorporated towns of this State,’ approved
7 June 19, 1885,” approved June 3, 1889, in force July 1, 1889.

Sec. 1. That at all elections held under the provisions of an Act entitled,
2 “An Act to regulate the holding of elections and declaring the result thereof in

3 cities, villages and incorporated towns in this State," approved June 19, 1885,
4 and those amendatory and supplemental thereto, at which any trustee of schools
5 shall be elected, the expenses of such election shall be paid out of the treasury of
6 *the school township for which the trustee is elected.*

Sec. 3. The corporate authorities of *school townships* and school districts
2 are hereby authorized and empowered to levy taxes for the purpose of paying
3 such election expenses.



1 Offered by Mr. Duvall, June 17, 1921.

2 Ordered printed.

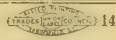
AMENDMENT TO HOUSE BILL IN SENATE NO. 803.

AMENDMENT NO. 1.

Amend House Bill No. 803 in Senate by adding after the figures "1889"

2 at the end of Section 1, page 1 of the printed bill, a comma (,) and the words

3 "are amended as follows"



- 1 Introduced by Mr. Perina, May 17, 1921.
- 2 Read by title, ordered printed, and referred to Committee on Municipalities.

A BILL

For an Act prohibiting blasting for stone, lime or other mineral or substance near public parks, forest preserve districts, public playgrounds or residential districts.

SECTION 1. *Be it enacted by the People of the State of Illinois.*

2 *represented in the General Assembly:* That it shall hereafter be unlawful to
3 blast with powder, dynamite or other explosives in any quarry, mine or pit which
4 is situated within Three Hundred (300) lineal feet of any public park, forest pre-
5 serve, playground or within any territory or locality having more than One Hun-
6 dred (100) inhabitants residing in dwellings located and situated within Five
7 Hundred (500) feet of any such quarry, mine or pit.

Sec. 2. Any person, firm or corporation, violating Section 1 of this Act
2 shall be guilty of a misdemeanor and shall upon a conviction for the first offense,
3 be fined in any sum not less than One Hundred (\$100.00) Dollars nor exceeding
4 Two Hundred (\$200.00) Dollars; and for each and every subsequent offense be
5 fined not less than Two Hundred (\$200.00) Dollars nor more than Five Hundred
6 (\$500.00) Dollars.



- 1 Introduced by Mr. Sawyer, May 17, 1921.
- 2 Read by title, ordered printed and referred to Committee on Efficiency and
Economy.

A BILL

For an Act to add Sections 9, 9a, 9b, 9c, 9d, and 9e to "An Act creating the office of State Fire Marshal, prescribing his duties and providing for his compensation and for the maintenance of his office," approved June 15, 1909, in force July 1, 1909, as amended, and to amend Section 16 and the title of said Act.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Sections 9, 9a, 9b, 9c, 9d and 9e, are added to "An Act creating the office of State Fire Marshal, prescribing his duties, and providing for his compensation and for the maintenance of his office," approved June 15, 1909, in force July 1, 1909, as amended, to replace the section 9 of said Act declared unconstitutional by the Supreme Court of Illinois, and Section 16 of said Act is amended, the added and amended sections to read as follows:

Sec. 9. *No person, being the owner, occupant or lessee of any building or other structure which is so occupied or so situated as to endanger persons or*

3 property, shall permit such building or structure by reason of faulty construc-
 4 tion, age, lack of proper repair, or any other cause to become especially liable
 5 to fire or to become liable to cause injury or damage by collapsing or otherwise.
 6 And no person, being the owner, occupant* or lessee of any building or struc-
 7 ture, shall keep or maintain, or allow to be kept or maintained on such prem-
 8 ises, combustible or explosive material or inflammable conditions, which en-
 9 dangers the safety of said buildings or premises.

10 The Department of Trade and Commerce and the officers of cities; villages
 11 and towns by this Act charged with the duty of investigating fires, may inspect
 12 and examine at reasonable hours, any premises, and the buildings and other
 13 structures thereon, and if such a dangerous condition of fire hazard is found to
 14 exist, shall order the dangerous condition removed remedied, and shall so notify
 15 the owner, occupant or other person interested in the premises. Service of the
 16 notice upon the owner, occupant or other interested person shall be in person
 17 or by registered mail.

Sec. 9a. The owner or other person interested in such building or prem-
 2 ises, within ten days after receiving such notice, may appeal from orders of
 3 officers of cities, villages and towns, or from orders of deputies of the Depart-
 4 ment of Trade and Commerce, to the Department of Trade and Commerce.
 5 The Department shall thereupon make an investigation and shall either sus-
 6 tain or revoke the order. If the order is sustained, or if no appeal is made to
 7 the Department, it shall be the duty of the owner or occupant to comply with
 8 such order.

Sec. 9b. Any person against whom an order to remove or remedy a dang-
 2 erous condition or fire hazard has been entered or sustained by the Department
 3 of Trade and Commerce may within ten days thereafter appeal to the county
 4 court of the county in which the property affected by the order is located, for
 5 the purpose of having the reasonableness or lawfulness of the order inquired
 6 into and determined.

Sec. 9c. *The party taking the appeal shall file a praecipe in the office of the clerk of the county court and summons shall thereupon be issued by the clerk and shall be served upon the Director of the Department of Trade and Commerce. Upon the filing of the praecipe, the appeal shall be docketed for trial not less than ten days nor more than thirty days after the service of the summons and shall be tried by the county court without formal pleadings at either a law or probate term. Upon trial of the appeal, the court shall hear evidence as to the condition of the property in question and shall enter judgment either affirming or setting aside the order of the Department, or the court may enter judgment modifying the order of the Department.*

11 *The filing of the praecipe shall operate as a supersedeas.*

Sec. 9d. *If no appeal is taken from the order of the Department within the period fixed, the party against whom the order was entered, shall be deemed to have waived the right to have the reasonableness or lawfulness of the order reviewed by a court and there shall be no trial of that issue in any court in which suit may be instituted for the penalty for failure to comply with the order.*

Sec. 9e. *Wilful failure, neglect or refusal to comply (1) with the order of the Department or other officers after it has become final by reason of failure to prosecute an appeal as provided by this Act, or (2) with the judgment of the county court sustaining or modifying the order of the Department.*

5 *Is a misdemeanor punishable by a fine not less than ten dollars (10.00) nor more than fifty dollars (50.00), and in the event of a continuance of such wilful failure, neglect or refusal to comply with such order, each day's continuance is a separate offense.*

9 *The provisions of Sections 9, 9a, 9b, 9c, 9d, and 9e shall not be construed to affect or repeal any ordinances of any municipality relating to building inspection and fire limits, but the jurisdiction of the Department of Trade and Commerce shall, in such municipalities, be concurrent with that of the municipal authorities.*

Sec. 16. Chiefs of fire departments and mayors *whose salaries exceed one thousand dollars (1,000) per annum as such chiefs and mayors, shall receive for each report made in accordance with the provisions of Section 6 of this Act, the sum of fifty cents. All other persons charged herein with the duty of making reports or such others as are specially appointed in counties not under township organization, shall receive the sum of seventy-five cents for each such report, and in addition shall receive mileage at the rate of fifteen cents per mile for each mile traveled to such fire.*

The fees herein provided for shall be paid out of the special fund created by this Act for the use of the Department in the administration of this Act, and appropriated for such purpose, provided, that no fees shall be paid to officers in cities having a population of over 250,000.

Sec. 2. The title of said Act is amended to read as follows: "An Act in relation to the investigation and prevention of fire and dangerous conditions in and near buildings and other structures."



- 1 Introduced by Mr. Tice, May 17, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judicial Department and Practice.

A BILL

For an Act to amend an Act entitled, "An Act to revise the law concerning the time of holding the terms of Circuit Court and of the calling of juries in the several judicial circuits, exclusive of Cook county," approved June 23, 1915, in force July 1, 1915, by amending section 9 thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That an Act entitled, "An Act to revise
3 the law concerning the time of holding the terms of Circuit Court and of the
4 calling of juries in the several judicial circuits, exclusive of Cook county,"
5 approved June 23, 1915, in force July 1, 1915, be and the same is hereby
6 amended by amending Section 9 thereof to read as follows:

§ 9. EIGHTH CIRCUIT.] In the county of Adams, on the third Monday of
2 January, fourth Monday of March, third Mondays of May, June and September,
3 and the fourth Monday of October; in the county of Schuyler, on the first Mon-
4 day of January, the third Monday of April and third Monday of September:

5 *Provided*, that no jury, grand or petit, shall be summoned for the said January
6 term; in the county of Mason, on the fourth Monday of February, *fourth*
7 Monday of May and second Monday of November: *Provided*, that no jury,
8 grand or petit, shall be summoned for the said *May* term; in the county of Cass,
9 on the second Monday of January, third Monday of March, and first Monday
10 of October: *Provided*, that no jury, grand or petit, shall be summoned for
11 said January term; in the county of Brown, on the fourth Monday of Febru-
12 ary, and the second Monday of September; in the county of Pike, on the second
13 Monday of April, third Monday of June, and second Monday of November:
14 *Provided*, that no jury, grand or petit, shall be summoned for said June term;
15 in the county of Calhoun, on the second Mondays of May and October; in the
16 county of Menard, on the first Monday of February, on the first Monday of
17 June, and fourth Monday of October.



1 Introduced by Mr. McCabe, May 17, 1921.

2 Read by title, ordered printed, and referred to Committee on Appropriations.

A BILL

For an Act for the relief of Robert Shannon, and making an appropriation therefor.

WHEREAS, Robert Shannan of Will County shipped machinery to the new
2 State Penitentiary to be used in fulfilling a contract with the commissioners of
3 said penitentiary for the digging of certain sewer trenches, and such machinery
4 was destroyed by fire, caused as a result of a riot among the inmates of such
5 institution; and

6 WHEREAS, The loss of such machinery has proved a great financial handicap
7 to said Robert Shannon and has reduced him almost to the point of bankruptcy;
8 and

9 WHEREAS, The Court of Claims, while denying the claim of said Robert
10 Shannon for reimbursement for said loss on the ground that the State is not
11 liable for the torts of its officers, agents, inmates and employes, recognized that
12 the case is one that commands public sympathy, and recommended the claim to
13 the General Assembly for its consideration; now, therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* The sum of Eight Thousand Five Hun-
3 dred Dollars (\$8,500.00) is appropriated to the said Robert Shannon to reim-
4 burse him for the loss of said machinery.

Sec. 2. The Auditor of Public Accounts is directed to draw his warrant on
2 the State Treasurer in favor of Robert Shannon for the sum herein appropri-
3 ated, and the State Treasurer is directed to pay the same out of any moneys in
4 the State Treasury not otherwise appropriated.



- 1 Introduced by Mr. Seif, May 17, 1921.
- 2 Read by title, ordered printed and referred to Committee on License and Mis-
cellany.

A BILL

For an Act to amend Section 18 of “An Act to revise the law in relation to the prac-
tice and the art of treating human ailments,” approved June 25, 1917, in force
July 1, 1917. a

SECTION 1. *Be it enacted by the People of the State of Illinois,*
represented in the General Assembly: Section 18 of “An Act to revise the law
in relation to the practice and the art of treating human ailments,” approved
June 25, 1917, in force July 1, 1917, is amended to read as follows:

Sec. 18. The Department of Registration and Education may revoke the
license of any person holding a license issued in pursuance of and under any
law of this State to practice medicine and surgery in all their branches, or to
practice any other system or method of treating human ailments without the
use of drugs or medicine and without operative surgery, or to practice mid-
wifery, in any of the following cases:

- 1 A person who has been convicted of the practice of criminal abortion;

8 2. A person who has by false or fraudulent representation obtained or
9 sought to obtain practice in his profession;

10 A person who is an habitual drunkard, or habitually addicted to the use of
11 morphine, opium, cocaine or other drugs having a similar effect;

12 4. A person who has by false or fraudulent representation of his profes-
13 sion obtained or sought to obtain money or any other thing of value.

14 5. A person who has advertised under a name other than his own;

15 6. A person who shall advertise or profess publicly to treat human ail-
16 ments under a system or school of treatment or practice other than that for
17 which he holds a license;

18 7. A person who has been committed, by the judgment of a court compe-
19 tent jurisdiction, to a hospital for the insane;

20 8. A person who is guilty of any willful violation of the rules and regula-
21 tions of the Department of Registration and Education governing examina-
22 tions, or who is guilty of any fraud or deceit by which he was admitted to prac-
23 tice.

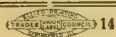
24 9. *A person who has charged an unreasonable fee for prescribing intoxi-*
25 *cating liquor in accordance with federal and State laws and regulations there-*
26 *under; a fee of more than one dollar for each prescription shall be considered*
27 *excessive in the meaning of this Act.*

28 10. A person who has been guilty of any other unprofessional or dishon-
29 orable conduct.

30 Paragraph 6 of this section shall not be construed to affect any person lic-
31 ensed by the State Board of Health, on or before July 1, 1917, to treat human
32 ailments without the use of drugs or medicines internally or externally and
33 without the use of operative surgery, who is legitimately engaged in the prac-
34 tice of his profession, unless he shall treat, or profess to treat human ailments
35 with the use of drugs or medicines, internally or externally or with operative
36 surgery.

37 For any of the above reasons the Department of Registration and Educa-
38 tion may refuse to issue a license.

39 No license or certificate shall be revoked or refused until the holder there-
40 of shall have been given a hearing before the Department of Registration and
41 Education.



- 1 Introduced by Mr. Etherton (by request), May 17, 1921.
- 2 Read by title, ordered printed, and referred to Committee on Judiciary.

A BILL

For an Act to define, license and regulate public exchanges.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Every association of persons, whether
3 incorporated or unincorporated, comprised of brokers, commission merchants
4 or traders engaged in buying, selling, dealing in or exchanging grain, for
5 themselves or for others, which, for the transaction of business between its
6 members, maintains or operates a regular place or trading room, is declared to
7 be a public exchange. The place where such business is carried on is declared
8 to be a public market.

Sec. 2. No public exchange shall be conducted or operated in this State
2 without first having obtained a license from the department of agriculture.

Sec. 3. Applications for licenses to conduct or operate a public exchange
2 shall be made to the department of agriculture and shall state the name of the
3 public exchange, the location of its public market (giving street and number),

4 and such other facts as may be required by the department of agriculture to
5 enable it to perform the duties imposed upon it by this Act.

Sec. 4. Before any license to conduct and operate a public exchange is
2 issued by the department of agriculture, the applicant shall file with such depart-
3 ment a bond to the people of the State of Illinois in the penal sum of ten thou-
4 sand dollars, with sureties to be approved by the department of agriculture,
5 conditioned for the faithful performance of its duties as a public exchange and
6 for the faithful compliance with all laws of this State relative to public ex-
7 changes. Such bond shall be renewed annually.

Sec. 5. Upon the approval of such application and bond, the department
2 of agriculture shall issue a license to the applicant to conduct and operate a
3 public exchange at the location stated in such application.

Sec. 6. Each public exchange shall:

- 2 (1) Maintain a public market;
- 3 (2) Establish and maintain reasonable rules, regulations and by-laws for
4 the admission of persons to the public exchange for the purpose of trading, the
5 government of the public exchange and the conduct of business therein, and file
6 copies of all such rules, regulations and by-laws, and all amendments thereto,
7 with the department of agriculture;
- 8 (3) Admit, without discrimination, all persons conforming to its reason-
9 able rules, regulations and by-laws to all the rights and privileges of a trader;
- 10 (4) Afford equal and uniform facilities to all persons entitled to avail
11 themselves of the privileges of the public exchange;
- 12 (5) Maintain open and free competition in the purchase and sale of articles
13 and commodities bought, sold, dealt in or exchanged on such public exchange;
- 14 (6) Keep such records, books and accounts as may be required by the de-
15 partment of agriculture faithfully and fully to disclose the transactions, busi-
16 ness and contracts made and entered into on such public exchange.

17 (7) Any rule, resolution, by-law, custom, usage or practice of a public ex-
18 change is declared to be unlawful, unjust, illegal, unreasonable or discrimi-
19 natory which:

20 (1) Limits, or tends to limit, suppresses, or tends to suppress, destroys,
21 or tends to destroy free and open competition between traders dealing on such
22 public exchange;

23 (2) Creates, or tends to create, a monopoly or "corner;"

24 (3) Restrains, or tends to restrain, trade;

25 (4) Gives any person entitled to trade in such public exchange, rights and
26 privileges not accorded to or enjoyed by all other traders;

27 (5) Denies to traders equal and uniform facilities of such public ex-
28 change;

29 (6) Discriminates between traders, producers or shippers.

Sec. 8. No person shall engage in buying, selling, dealing in, or exchanging
2 articles or commodities in a public exchange without first having obtained a
3 license from the department of agriculture.

Sec. 9. Applications for licenses to trade on a public exchange shall be
2 made to the department of agriculture and shall state the name of the applicant,
3 or, if the applicant is a partnership, the names and addresses of all the partners,
4 or if the applicant is the employee or agent of some other person, he shall state
5 the name of such other person, giving, in the case of the partnership, the names
6 of all the partners for whom he is the employee or agent, the location of his office
7 (giving street and number) and such other facts as may be required of the de-
8 partment of agriculture to enable it to perform the duties imposed by this Act.
9 Upon the approval of such application the department of agriculture shall issue
10 a license to the applicant to trade on such public exchange in the character or
11 capacity stated in his application.

Sec. 10. The license of any trader to trade on a public exchange may, after
2 notice and hearing, be suspended or revoked when such person shall:

3 (1) Violate any of the reasonable rules, regulations, by-laws or orders of
4 such public exchange;

5 (2) Fraudulently, with intent to injure, damage or destroy the business of
6 any other trader, refuse to trade with such trader;

7 (3) Conspire or agree with any other person, whether a trader or non-
8 trader, to injure, damage or destroy the business of any person admitted to trade
9 on such public exchange.

Sec. 11. The department of agriculture shall charge and collect the follow-
2 ing fees:

3 For issuing a license to conduct and operate a public exchange, two hundred
4 and fifty dollars;

5 For issuing a license to any person to trade on a public exchange, fifty
6 dollars.

Sec. 12. All public exchanges shall be subject to the visitation, inspection
2 and examination of the department of agriculture.

Sec. 13. The department of agriculture shall make and promulgate such
2 rules and regulations as it may deem necessary effectually to enforce the provi-
3 sions of this Act. It shall, in the enforcement of the provisions of this Act, have
4 power to compel by subpoena, the appearance and attendance of witnesses for
5 the purpose of examination and the production of books, records, memoranda,
6 accounts and documents.

7 Any person who shall be served with a subpoena to appear and testify, or
8 to produce books, papers, accounts, memoranda or documents, issued by the de-
9 partment of agriculture, in the course of any inquiry, investigation or hearing,
10 conducted under any of the provisions of this Act, and who shall refuse or
11 neglect to appear, or to testify, or to produce books, papers, accounts, memoranda
12 or documents relative to such inquiry, investigation or hearing as commanded
13 in such subpoena, shall be guilty of a misdemeanor.

14 Any circuit court of this State, or any judge thereof, either in term time
15 or vacation, upon application of the department of agriculture, may compel the
16 attendance of witnesses, the production of books, papers, accounts, memoranda
17 and documents and the giving of testimony before the department of agricul-
18 ture by an attachment for contempt or otherwise, in the same manner as the
19 production of evidence may be compelled before a court of record.

Sec. 14. Whenever the department of agriculture shall find after notice and
2 hearing, that any rule, regulation, by-law, order or practice of any public ex-
3 change is illegal, unjust, unreasonable, unauthorized, discriminatory or preferen-
4 tial, it shall order such public exchange to rescind or amend such rule, regulation,
5 by-law or order or to cease and desist from such practice. If such order of the
6 department of agriculture is not complied with within the time fixed therein,
7 the department of agriculture shall apply to a court of competent jurisdiction
8 for an injunction restraining and enjoining such public exchange from enforce-
9 ing such by-laws, rules, regulations or order from further continuing such a
10 legal, unauthorized, discriminatory or preferential practice, or for such other
11 relief as may be necessary fully to carry out the purposes of this Act.

Sec. 15. The department of agriculture shall have power to institute and
2 prosecute all actions and suits, both at law and in equity, necessary, convenient
3 or proper to carry out the provisions of this Act and to compel a public ex-
4 change to conform with the provisions thereof.

Sec. 16. Each public exchange shall make reports to the department of agri-
2 culture as often as it shall be required so to do by such department. Such re-
3 ports shall be in such form and shall contain such data as shall be required by the
4 department of agriculture. Such reports shall be public documents.

Sec. 17. The director of agriculture, and all officers, employes and agents
2 of the department of agriculture duly authorized thereto by the director, shall
3 at all reasonable hours, have free access to all rooms and places where trading is

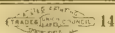
4 conducted in a public exchange. All books, records, documents, accounts and
5 memoranda kept by a public exchange shall be open to the inspection and exami-
6 nation of the department of agriculture.

Sec. 18. Any person violating any of the provisions of this Act shall be
2 guilty of a misdemeanor, and on conviction thereof, shall be fined in any sum not
3 exceeding twenty-five thousand dollars, or be imprisoned in the county jail not
4 exceeding one year, or be punished by both such fine and imprisonment in the
5 discretion of the court.

Sec. 19. No person shall be excused from testifying, or from producing any
2 books, documents, letters, accounts, memoranda or papers in any investigation
3 or inquiry or upon any hearing conducted by the department of agriculture, or
4 in any action or suit, civil or criminal, upon the ground that the testimony or
5 evidence, documentary or otherwise, may tend to incriminate him or subject him
6 to a penalty of forfeiture. But no person shall be prosecuted or subjected to
7 any penalty, forfeiture, or punishment for or on account of any transaction,
8 matter or thing concerning which he may testify or produce evidence, document-
9 ary or otherwise, before the department of agriculture or before a court.

Sec. 20. The word "person" as used in this Act shall include natural per-
2 sons, partnerships, firms, joint stock companies and corporations. The word
3 "grain" as used in this Act shall mean wheat, corn, oats, rye, barley, flaxseed,
4 and like cereals.

Sec. 21. If any clause, sentence, paragraph or part of this Act shall be
2 adjudged by any court of competent jurisdiction to be invalid or unconstitu-
3 tional, such judgment shall not affect, impair, invalidate or nullify the remainder
4 of this Act, but the effect thereof shall be confined to the clause, sentence, para-
5 graph or part thereof immediately involved in the controversy in which such
6 judgment or decree shall be rendered.



- 1 Introduced by Mr. Etherton, May 17, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to regulate sales of grain for future delivery.

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* No contract for the buying or selling of
3 any grain for future delivery shall be made, unless the person selling such
4 grain—

5 (1) Is the owner, or the duly authorized agent of the owner, of the actual
6 physical property so offered for sale or contracted to be sold; or

7 (2) Is the owner or the duly authorized agent of the owner, of grain
8 which, at the time such grain is offered for sale or contracted to be sold, is an
9 actual course of growth and is potentially in existence; or

10 (3) Is under contract to acquire possession, or is the assignee of a person
11 under contract to acquire possession, at a future time, of the grain offered for
12 sale or contracted to be sold under the terms of a contract for the sale and future
13 delivery thereof previously made with the owner, or the agent of the owner, of
14 such grain; and

15 (4) Has the bona fide intention to deliver to the purchaser the grain so
16 offered for sale or contracted to be sold.

Sec. 2. No contract for the buying and selling of any grain for future
2 delivery shall be made unless the buyer thereof has the bona fide intention to
3 receive and pay for the grain so contracted to be purchased.

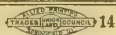
Sec. 3. Any person violating the provisions of this Act shall be guilty of
2 a misdemeanor, and upon conviction, shall be fined in any sum not less than
3 five hundred dollars nor more than one thousand dollars, or be punished by
4 imprisonment in the county jail not more than one year, or be punished by both
5 such fine and imprisonment in the discretion of the court. If a corporation
6 shall be guilty of a violation hereof, in addition to such fine, its charter shall be
7 subject to forfeiture at the suit of the attorney general.

Sec. 4. All contracts made in violation of the provisions of this Act shall
2 be void.

Sec. 5. Nothing in this Act shall be construed to prevent the settlement,
2 by novation, set-off or by any means customary in the grain trade, of con-
3 tracts for the buying and selling of grain which were lawfully entered into un-
4 der the provisions of this Act.

Sec. 6. The word "grain" as used in this Act, shall include wheat, corn,
2 rye and barley. The word "sale" shall include sales, agreements of sale, ap-
3 tions for sale, or purchase.

Sec. 7. This Act shall be in force and effect from and after the first day
2 of July, A. D. 1922.



- 1 Introduced by Mr. Gregory, May 17, 1921.
- 2 Read by title, ordered printed and referred to Committee on Banks, Banking
and Building and Loan Associations.

A BILL

For an Act concerning a bank depositors' guaranty fund.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* For the purpose of providing a guar-
3 anty fund for the protection of depositors in banks, every corporation engaged
4 in the business of banking under the laws of this State, shall be subject to as-
5 sessment to be levied, kept, collected, and applied as hereinafter provided.

Sec. 2. On the first day of September, 1922, and on the first day of March
2 and September of each year thereafter, every corporation engaged in banking
3 under the provisions of this Act shall make and file with the Auditor of Public
4 Accounts a statement in writing, verified by the oath of its president, vice pres-
5 ident or cashier, showing the average daily deposits in its bank for the preced-
6 ing six months exclusive of public money otherwise secured. And on the first
7 day of the month next preceding the the date fixed for the making and filing
8 of such statement, the Auditor shall levy assessments against the capital stock

9 of each of said banking corporations as follows: On the first day of October
 10 1922, one-fourth of one per cent of the average daily deposits as shown by the
 11 first statement of such average daily deposits required to be made and filed
 12 by the provisions of this section; on the first day of April, 1923, one-fourth of
 13 one per cent of the average daily deposits as shown by the statement required
 14 to be made and filed on the first day of March, 1923; on the first day of October,
 15 1923, one-fourth of one per cent of the average daily deposits as shown by the
 16 statement required to be filed on the first day of September, 1923; and on the
 17 first day of April, 1924; one-fourth of one per cent of the average daily de-
 18 posits as shown by the statement filed on the first day of March, 1924; and on the
 19 first day of September and March of each year thereafter, one-twentieth of one
 20 per cent of the average daily deposits as shown by the statement thereof required
 21 to be made and filed next preceding such assessment. Any person making oath
 22 to any of the statements herein required, knowing the same to be false, shall be
 23 deemed guilty of a felony, and be punished by a fine of not less than one hun-
 24 dred, nor more than one thousand dollars, or be imprisoned in the penitentiary
 25 for a term of not less than one nor more than five years, or both.

Sec. 3. Any bank organized subsequent to the date when this Article takes
 2 effect shall pay into the depositors' guarantee fund four per cent of the amount
 3 of the capital stock, when such bank opens for business, which amount shall
 4 constitute a credit fund, subject to adjustment on the basis of said bank's aver-
 5 age daily deposits, as shown by the first two semi-annual statements required by
 6 the next preceding section. The Auditor is authorized and empowered to
 7 make such an adjustment of the rates of assessments to be paid by any bank
 8 which engages in the banking business subsequent to the time this Article takes
 9 effect, as shall require such bank to contribute to the depositors' guarantee
 10 fund a just and equitable sum, and the Auditor shall adjust assessments of such
 11 bank so that the first two assessments, together with the credit of four per cent
 12 of its capital stock paid in by said bank when it begins business, shall at least
 13 equal one per cent of the average daily deposits of said bank as shown by the

14 two first semi-annual statements required by the next preceding section. Such
15 four per cent shall not be required of new banks formed by the re-organization
16 or consolidation of banks that have previously complied with the terms of this
17 Article with reference to the payment of assessments.

Sec. 4. As soon as said assessments are respectively levied, the banking
2 corporations against which the same are levied, shall be notified of the amount
3 of such assessment levied against them respectively, by the Auditor and said
4 banking corporations shall thereupon set apart, keep and maintain in their
5 said banks the amount thus levied against them and the amounts thus levied
6 kept and maintained shall be an constitute what shall be designated as a de-
7 positors' guarantee fund, payable to the Auditor on demand for the uses and
8 purposes hereinafter provided: *Provided*, when the depositors' guarantee
9 fund reaches the total sum of one and one-half per cent of the average daily
10 deposits, said assessments against the deposits of said banks shall cease until
11 such time as the guarantee fund is depleted below one per cent of the average
12 daily deposits, when the necessary assessments may again be levied.

Sec. 5. No bank which has complied in full with all of the provisions of this
2 Act shall be required to give any further security or bond for the purpose of
3 becoming a depository for any public funds, but depository funds shall be se-
4 cured in the same manner that private funds are secured.

Sec. 6. If the depositor's guarantee fund shall, from any cause, prior to
2 October 1, 1923, be depleted or reduced to an amount less than one-half of one per
3 cent of the average daily deposits, or subsequent to October 1, 1923, be depleted
4 or reduced to an amount less than one per cent of the average daily deposits, as
5 shown by the last semi-annual assessments statements thereof filed, the Audi-
6 tor shall levy a special assessment against the capital stock of the corporations
7 governed by the provisions of this Article, to cover such deficiency, which
8 special assessment shall be based on the said average daily deposits, and when re-
9 quired for the purpose of immediate payment to depositors, said special as-

10 sessment may be for any amount not exceeding one per cent of said average
11 daily deposits in any year.

Sec. 7. Whenever it shall appear to the Auditor, from any examination
2 or report provided for by this Act, that the capital of any corporation trans-
3 acting a banking business under this Act is impaired, or that such corporation
4 is conducting its business in an unsafe or unauthorized manner, or is endang-
5 ering the interests of its depositors, or upon the failure of such corporation to
6 make any of the reports or statements required by the provisions of this Act
7 or to comply with the provisions of said Act in all respects, the Auditor shall
8 communicate the facts to the attorney general, who shall thereupon cause an
9 application to be made to the Circuit Court of the county where such corpora-
10 tion maintains its bank and is thus conducting its business, or to any judge of
11 such court, for the appointment of a suitable person as receiver to take charge
12 of the business, assets and property of every kind of said corporations and to
13 wind up its affairs. If the judge or judges of the Circuit Court of the county
14 where such application should be made be absent therefrom at the time such
15 application is to be made, any judge of the supreme court may appoint such re-
16 ceiver, but all proceedings in relation to such receivership thereafter shall be
17 had before the Circuit Court, or a judge thereof, which might have appointed
18 such receiver in the first instance, and the petition and the order appointing
19 such receiver shall be forthwith transmitted to the clerk of such Circuit Court.
20 It shall be sufficient to authorize the appointment of a receiver if any of the
21 facts herein enumerated as a ground for the application for a receiver be made
22 to appear.

Sec. 8. The court or judge, appointing a receiver under the provisions of
2 this Act, shall, in the order of appointment, fix the amount of his bond in an
3 amount sufficient to protect all persons interested in the assets and affairs to
4 be administered by such receiver, and the receiver, before entering upon his
5 duties as such receiver, shall give bond in the amount thus fixed, with sureties

6 to be approved by the clerk of said court, conditioned that he will faithfully and
7 impartially discharge such duties, and well and truly account for all money and
8 property coming into his hands as such receiver, and disburse the same in con-
9 formity to the order of such court or judge, and to the provisions of this Act.
10 Upon the approval of such bond and the taking of the oath required by law,
11 the person thus appointed shall have full power and authority, as receiver un-
12 der the provisions of this Act.

Sec. 9. After the Auditor, a bank examiner or receiver shall have taken
2 possession of any bank under the provisions of this Act, the stockholders
3 thereof may repair its credit, restore or substitute its reserves, and otherwise
4 place it in condition so that it is qualified to do a general banking business as
5 before it was taken possession of as aforesaid, but such bank shall not be per-
6 mitted to reopen its business until the Auditor, after careful investigation of
7 its affairs, is of the opinion that its stockholders have complied with the law,
8 that the bank's credit and funds are in all respects repaired and all advances,
9 if any, made from the depositors' guarantee fund, with interest, fully paid, its
10 reserve restored or sufficiently substituted, and that it should be permitted
11 again to reopen for business; whereupon the Auditor is authorized to issue
12 written permission for reopening of said bank, and thereupon said bank may be
13 reopened to do business.

Sec. 10. As soon as a receiver has qualified, which shall be within ten
2 days after his appointment, the court in which such proceedings are pending,
3 shall make an order fixing the time for filing claims against the corporation
4 whose property is under such receivership, which shall not be more than sixty
5 days from the date of such order, and notice thereof shall be given forthwith,
6 by posting a copy of such order on the front door of the bank and by publica-
7 tion thereof in some newspaper published in the county, to be designated by
8 the court or judge making such order, for at least three successive weeks prior
9 to the date thus fixed.

Sec. 11. The claims of depositors, for deposits, and claims of holders of
2 exchange, shall have priority over all other claims, except federal, state, county
3 and municipal taxes, and subject to such taxes, shall at the time of the closing
4 of a bank be a first lien on all the assets of the banking corporation from
5 which they are due and thus under receivership, including the liability of
6 stockholders and, upon proof thereof, they shall be paid immediately out of the
7 available cash in the hands of the receiver. If the cash in the hands of the re-
8 ceiver, available for such purpose, be insufficient to pay the claims of deposit-
9 ors, the court in which the receivership is pending, or a judge thereof, shall
10 determine the amount required to supply the deficiency and cause the same
11 to be certified to the Auditor who shall thereupon draw against the de-
12 positors' guarantee fund in the amount required to supply such deficien-
13 cy, and shall forthwith transmit the same to the receiver, to be applied
14 on the said claims of depositors: *Provided, however,* no part of the de-
15 positors' guarantee fund shall be used to supply the deficiency that may
16 accrue by the failure of any bank now transacting business, which bank has
17 not paid the first assessment provided for in Section 2. Such drafts against
18 the depositors' guarantee fund shall be pro-rated, as nearly as may be, among
19 the several solvent banks wherein the same is so as aforesaid kept and main-
20 tained, in accordance with the amounts thereof held by such banks respect-
21 ively.

Sec. 12. To the extent of the amount paid from said guarantee fund to
2 satisfy the claims of creditors, the Auditor, for the use and benefit of said fund,
3 shall be subrogated to all the right of the creditors thus paid, to participate in
4 the assets of such bank and the same shall be enforced and collected by the
5 receiver accordingly, and when collected shall be placed in said fund and de-
6 posited by the Auditor in the solvent banks subject to the provisions of the de-
7 positors' guarantee fund, proportionate as to the several deposits, to the assess-
8 ments levied against each of said banks.

Sec. 13. The court in which such proceedings are pending, or a judge thereof, shall make such other and further orders and enter such judgments as may be necessary or proper to insure a proper administration of such receivership, and a just and equitable distribution of the assets of such banking corporation among its creditors and all others entitled to participate therein, subject to the provisions of this Act.

Sec. 14. Any bank examiner, when ordered by the Auditor, or any receiver appointed under the provisions hereof, for the purpose of winding up the affairs of the bank, shall have authority to take possession of any bank to which the order of appointment shall relate, and retain the possession of such bank, its moneys, rights, credits and property of every description, as against any mesne or final process issued by any court against such banks the property of which has been thus taken by such examiner or receiver, and until such time as all of the liabilities of such bank have been fully paid and discharged, and any attachment lien against such property, acquired within thirty days next preceding the taking of such possession by such examiner or receiver as aforesaid, shall be thereby released and dissolved. For each and every day the state bank examiner shall so hold possession, such bank shall pay to the State Treasurer, for account of the general fund, a fee of ten dollars, and for each and every day a receiver shall so hold possession, such bank shall pay such receiver as full compensation for services a fee of not less than three dollars nor more than ten dollars as may be fixed by the Auditor, and in each case, in addition to said amount, the necessary clerk hire and attorneys' fees.

Sec. 15. Whenever any bank refuses or neglects to deliver possession of its affairs, assets or property of whatever nature, to the Auditor, or to the person ordered or appointed to take charge of such bank according to the provisions of this Act, the Auditor shall communicate the facts to the attorney general, or to the State's attorney of the county wherein such bank is located, who shall thereupon cause an application to be made to the Circuit Court or to any judge

7 thereof, having jurisdiction of the same, for an order placing the Auditor or the
8 person ordered or appointed by him to take charge of such bank, in charge of
9 such bank and its affairs and property: *Provided*, if the judge of the Circuit
10 Court having jurisdiction of the same, shall be absent therefrom at the time
11 such application is to be made, then, and in that case, any judge of the Supreme
12 Court may grant such order, but the petition and order of possession shall be
13 forthwith transmitted to the clerk of the Circuit Court of the county in which
14 such bank is located.

Sec. 16. Every receiver of a bank appointed under the provisions of this
2 Act shall immediately upon taking possession of such bank, proceed to collect
3 all debts, assets and claims belonging to such bank, and, upon order of the Cir-
4 cuit Court or judge thereof, may sell or compound all bad or doubtful debts,
5 and on like order may sell all the real and personal property of such bank
6 upon upon such terms as the court or judge thereof may direct; and may, if
7 necessary, enforce the liabilities of stockholders, officers or directors to such
8 bank. *Provided*, bad or doubtful debts, as used in this section, shall not include
9 the liability of stockholders, officers or directors; and whenever any such re-
10 ceiver shall have paid in full all of the liabilities of such bank, including any
11 liability to the depositors' guarantee fund as herein provided, the funds and
12 assets remaining in his hands, if any, shall be paid and delivered to the party
13 or parties entitled thereto.

Sec. 17. Every receiver appointed under the provisions of this Act, shall
2 make to the Auditor not less than one report quarterly according to such form
3 as may be prescribed and which report shall be verified by his oath.

Sec. 18. The Auditor shall prescribe all such forms as may be useful or
2 necessary in carrying out the provisions of this Act, and shall have power to
4 make such rules and regulations, not inconsistent with the provisions of this
4 Act, as may be necessary or proper to carry it into effect according to its true
4 intent.

Sec. 19. Where no other punishment is provided herein any person violating any of the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than twenty-five, nor more than three hundred dollars or by imprisonment in the county jail for not less than thirty, nor more than ninety days, or both.

Sec. 20. After the passage of this Act, any national bank doing business in the State of Illinois under the laws of the United States, after an examination at its expense by the Auditor, and upon his approval as to its financial condition, may at its option participate in the assessments and benefits of the bank depositors' guaranty fund of the State of Illinois, upon the same terms and conditions as apply to state banks: *Provided*, that such national bank shall forward to the Auditor detailed reports, in form to be provided by him, of its condition on the dates of the usual statements of state banks (such report not to be published except at the option of the bank), and shall submit to one examination each year by his department (or oftener in his discretion) as provided by the banking laws of the State of Illinois, and pay the usual fees therefor. Should a national bank disregard or refuse to comply with any recommendations made by the Auditor in conformity with the provisions of this Act it shall immediately be subject to the provisions and penalties of this Act, and its membership in the bank depositors' guarantee fund shall cease.

Sec. 21. A solvent guaranteed bank, upon retiring from business and liquidating its affairs, shall not be entitled to withdraw any part of the unused assessments that may be in the bank depositors' guaranty fund, but the same shall be turned over to the Auditor who shall deposit it in the solvent banks, proportionate as to the several deposits to the assessments levied against each of said banks.



- 1 Introduced by Mr. Mooneyham, May 18 1921.
- 2 Read by title, ordered printed and referred to Committee on Industrial Affairs.

A BILL

For an Act to amend Sections 1, 2, 10, 19, 20, 21, 24 and 29 and to repeal Section 17 of "An Act to revise the laws in relation to coal mines and subjects relating thereto, and providing for the health and safety of persons employed therein," approved June 6, 1911, in force July 1, 1911, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That Sections 1, 2, 10, 19, 20, 21, 24 and
3 29 of "An Act to revise the laws in relation to coal mines and subjects relating
4 thereto, and providing for the health and safety of persons employed therein,"
5 approved June 6, 1911, in force July 1, 1911, as amended, are amended to read
6 as follows:

Sec. 1. (a) That the Governor, with the advice and consent of the Senate,
2 shall appoint a State Mining Board, which shall be composed of five members,
3 two of whom shall be practical coal miners, one a practicing coal mine hoisting
4 engineer, and two coal operators.

(b) Said board shall be authorized, empowered and required to make formal inquiry into and pass upon the practical and technological qualifications and personal fitness of men seeking appointment as State inspectors of mines, and of those seeking certificates of competency as mine managers, as hoisting engineers and as mine examiners. Said board also shall have such other powers and duties as may be prescribed by the provisions of this Act, or any other Acts relating to coal mining. Said board also shall control and direct the State mine inspectors hereinafter provided for, in the discharge of their duties, and shall have the power and shall in person and through the State mine inspectors, see that all the provisions of the State mining law are enforced. Said board shall also cause to be collected statistical details relating to coal mining in the State, especially in its relation to the vital, sanitary, commercial and industrial conditions, and to the permanent prosperity of said industry; and said board shall cause such statistical details to be compiled and summarized as a report of said State Mining Board, to be known as the annual coal report.

(c) Their appointment shall date from July 1, 1911, and they shall serve for a term of two years, or until their successors are appointed and qualified. They shall also be sworn to a faithful performance of their duties. One of the coal operators member of said board shall be elected as president and one of the coal miners member of said board shall be elected as secretary. The board may appoint a chief clerk, and may employ such other persons as may be necessary for the proper discharge of its powers and duties; all of whom shall perform such duties as may be prescribed by the board from time to time, and the board may from time to time also prescribe standing and other rules for the control and direction of its officers and employees and of the State mine inspectors.

(d) The Secretary of State shall assign to the use of the board suitably furnished rooms in the State House, and shall also furnish whatever blanks, blank books, printing, stationery, instruments and supplies the board may require in the discharge of its duties, and for the use of State mine inspectors.

35 (e) The board shall hold such meetings from time to time as may be
36 necessary for the proper discharge of its duties. The board shall meet at the
37 Capitol on the second Tuesday in September of the year 1911, and annually
38 thereafter, for the examination of candidates for appointment as State inspect-
39 ors of mines. Special examinations also may be held whenever for any reason
40 it may become necessary to appoint one or more inspectors.

41 For the examination of persons seeking certificates of competency as mine
42 managers, hoisting engineers, *steam or electrical*, and mine examiners, the Board
43 shall hold meetings at such times and places within the State as shall, in the
44 judgment of the members, afford the best facilities to the greatest number of
45 candidates.

46 Public notice shall be given through the press or otherwise, not less than
47 ten days in advance, announcing the time and place at which any examinations
48 under this section are to be held.

49 (f) The examination herein provided for shall be conducted under rules,
50 conditions and regulations prescribed by the board. Such rules shall be made a
51 part of the permanent record of the board, and such of them as relate to candi-
52 dates shall be, upon application of any candidate, furnished to him by the
53 board; they shall also be of uniform application to all candidates.

54 (g) The members of the State Mining Board shall receive as compensa-
55 tion for their services the sum of *ten* dollars (\$10) each per day for a term
56 not exceeding one hundred days in any one year, and whatever sums are nec-
57 essary to reimburse them for such actual and necessary traveling expenses as
58 may be incurred in the discharge of their duties.

59 All salaries and expenses of the board and of its employees shall be paid
60 upon vouchers duly sworn to by each and approved by the president of the
61 board, or in his absence by the acting president, and by the Governor, and
62 the Auditor of Public Accounts is hereby authorized to draw his warrants on
63 the State treasury for the amounts thus shown to be due, payable out of any
64 money in the treasury not otherwise appropriated.

Sec. 2. (a) An applicant for any certificate herein provided for, before
2 being examined, shall register his name with the State Mining Board and file
3 with the board the credentials required by this Act, to-wit: An affidavit as to all
4 matters of fact establishing his right to receive the examination, and a certifi-
5 cate of good character and temperate habits, signed by at least ten residents of
6 the community in which he resides.

7 (b) Each applicant for a certificate of competency as State Inspector of
8 Mines shall produce evidence satisfactory to the board that he is a citizen of this
9 State, at least thirty years of age, that he has had a practical mining experience
10 of ten years, of which at least two years shall have been in the State of Illinois,
11 and that he is a man of good repute and temperate habits; he shall pass an ex-
12 amination as to his practical and technological knowledge of mine surveying and
13 mining machinery and appliances, of the proper development and operation of
14 coal mines, of ventilation in mines, of the nature and properties of mine gases,
15 of first aid to injured, of mine rescue methods and appliances, of the geology
16 of coal measures in this State, and of the laws of this State relating to coal mines.

17 (c) At the close of each examination for inspectors the board shall certify
18 to the Governor the names of all candidates who have received a rating above
19 the minimum fixed by the rules of the board as being persons properly qualified
20 for the position of inspector.

21 (d) Each applicant for a certificate of competency as mine manager shall
22 product evidence satisfactory to the board that he is a citizen of the United
23 States, at least twenty-four years of age, that he has had at least four years'
24 practical mining experience, and that he is a man of good repute and temperate
25 habits; he shall also pass such examination as to his experience in mines and
26 in the management of men, his knowledge of mine machinery and appliances,
27 the use of surveying and other instruments used in mining, the properties of
28 mine gases, the principle of ventilation, of first aid to injured, of mine rescue
29 methods and appliances, and the legal duties and responsibilities of mine man-
30 agers, as shall be prescribed by the rules of the board.

31 (d) Each applicant for certificate of competency as mine manager, second
32 class, shall produce evidence satisfactory to the board that he is a citizen of the
33 United States, at least twenty-four years of age, that he has had at least four
34 years' practical mining experience, and that he is a man of good repute and
35 temperate habits. He shall also submit to and satisfactorily pass such an ex-
36 amination as to his experience in mines and in the management of men, his
37 knowledge of coal mining, mine ventilation and the mining laws of this State
38 and the required duties and responsibilities of second-class mine managers, as
39 shall be prescribed by the rules of the board, and it shall be unlawful to employ
40 second-class mine managers, or for them to serve in that capacity at mines em-
41 ploying more than ten men.

42 (e) Each applicant for a certificate of competency as mine examiners shall
43 produce evidence satisfactory to the board that he is a citizen of the United
44 States, at least twenty-one years of age, and of good repute and temperate
45 habits and that he has had at least four years' practical mining experience. He
46 shall pass an examination as to his experience in mines generating dangerous
47 gases, his practical and technological knowledge of the nature and properties
48 of fire-damp, the laws of ventilation, the structure and use of safety lamps, and
49 the laws of this State relating to safe-guards against fires from any source in
50 mines. He shall also possess a knowledge of first aid to injured and of mine
51 rescue methods.

52 (f) Each applicant for a certificate of competency as hoisting engineer
53 shall produce evidence satisfactotry to the board that he is a citizen of the United
54 States, at least twenty-one years of age, that he has had at least two years' ex-
55 perience as fireman or engineer of hoisting plant, and is of good repute and
56 temperate habits. He shall pass an examination as to his experience in handling
57 hoisting machinery, and as to his practical and technogolical knowledge of the
58 construct, cleaning and care of steam boilers, the care and adjustment of hoist-
59 ing engines, the management and deficiency of pumps, ropes and winding appa-
60 ratus, and as to his knowledge of the laws of this State in relation to signals and
61 the hoisting and lowering of men at mines.

62 The State Mining Board shall have power to grant a permit to operate a
63 second motion engine at any mine employing not more than ten men, to any per-
64 son recommended to the board by the State Inspector of the district: *Provided*,
65 that the applicant for such permit shall have filed with the State Mining Board
66 satisfactory evidence that he is a citizen of the United States, that he has had
67 at least one year's experience in operating a steam engine and steam boiler and
68 understands the handling and care of the same. Such application shall be ac-
69 companied by a statement from at least three persons who will testify from their
70 personal knowledge of the applicant that he is a man of good repute and personal
71 habits, and that he has, in their judgment, a knowledge of and experience in
72 handling boilers and engines as required in this section. Such permit shall
73 apply only to the mine for which it was issued.

74 (g) *Each applicant for a certificate of competency as electrical hoisting*
75 *engineer shall produce evidence satisfactory to the board that he is a citizen of*
76 *the United States, at least twenty-one years of age, that he has had sufficient*
77 *experience with electrical equipment satisfactory to the board to handle electrical*
78 *hoisting machinery and is of good repute and temperate habits. He shall pass*
79 *an examination as to his practical and technical knowledge of the construction*
80 *of same, the care and adjustment of electrical hoisting engines, the management*
81 *and efficiency of electrical pumps, ropes and winding apparatus and as to his*
82 *knowledge of the laws of this State in relation to signals and the hoisting and*
83 *lowering of men at mines.*

84 (h) There shall be written and an oral examination of applicants as may be
85 prescribed by the rules of the board; and all written examination papers and
86 all other papers of applicants shall be kept on file by the board for not less than
87 one year, during which time any applicant shall have the right to inspect his said
88 papers at all reasonable times; and any applicant shall be entitled to certified
89 copy of any or all of his said papers upon payment of a reasonable copy fee
90 therefor.

Sec. 10. (a) The upper and lower landing at the top of each shaft, and the opening of each intermediate seam from or to the shaft, shall be kept clear and free from loose materials, and shall be protected with automatic or other gates, such gates to be of good, serviceable construction for the purpose for which they are designed, namely, to prevent either men or materials from falling into the shaft. At the top landing cage supports, where necessary, must be carefully set and adjusted so as to securely hold the cage when at rest.

(b) Whenever the hoisting or lowering of men occurs before daylight or after dark, or when the landing at which men take or leave the cage is at all obscured by steam or otherwise, there must always be maintained at such landing a light sufficient to show the landing and surrounding objects distinctly. Likewise, as long as there are men underground in any mine the operator shall maintain a good and sufficient light at the bottom of the shaft thereof, so that persons coming to the bottom may clearly discern the cage and objects in the vicinity.

(c) Every shaft in which men are hoisted and lowered must be equipped with a cage, or cages, fitted to guide-rails running from the top to the bottom. Said cages must be safely constructed; they must be furnished with sheet-metal covers adequate to protect persons riding thereon from falling objects; they must be equipped with safety catches. Every cage on which persons are carried must be fitted with iron bars or rings in proper place and sufficient number to furnish a secure handhold for every person permitted to ride thereon. There shall be attached to every cage on which men are, or may be, hoisted or lowered, a horn or other device with which signals can be given on the cage. Hoisting ropes when cocketed at the cage shall be cut off and resocketed at least once each six months and a notice shall be posted in the engine room the date when the rope was installed and when resocketed.

(d) In connection with every hoisting engine used for hoisting or lowering of men there shall be provided as follows:

(1) A good and sufficient brake on the drum, so adjusted that it may be operated by the engineer without leaving his post at the levers.

32 (2) Flanges attached to the sides of the drum, with a distance when the
 33 whole rope is wound on the drum of not less than 4 inches between the outer
 34 layer of rope and the greatest diameter of the flange.

35 (3) One end of each hoisting rope shall be well secured on the drum, and
 36 at least three laps of the same shall remain on the drum when the cage is at
 37 rest at the lowest caging place in the shaft.

38 The lower end of each rope shall be securely fastened to the cage by suit-
 39 able sockets and chains.

40 (4) An index dial or indicator that plainly shows the engineer at all times
 41 the true position of the cages in the shaft.

42 (e) At every mine when men are hoisted and lowered by machinery there
 43 shall be provided means of signaling to and from the bottom man, the top man
 44 and the engineer. The signal system shall consist of a tube, or tubes, or wire
 45 encased in wood or iron pipes, through which signals shall be communicated
 46 by electricity, compressed air or other pneumatic devices, or by ringing a bell.
 47 When compressed air or other pneumatic devices are used for signaling, pro-
 48 vision must be made to prevent signal from repeating or reversing. The fol-
 49 lowing signals shall be used at mines where signals are required:

50 From the bottom to the top: One ring or whistle shall signify to hoist coal
 51 or the empty cage, and also to stop either when in motion.

52 Two rings or whistles shall signify to lower cage.

53 Three rings or whistles shall signify that men are coming up or going
 54 down; when return signal is received from the engineer the men shall get on the
 55 cage and the proper signal to hoist or lower shall be given.

56 Four rings or whistles shall signify to hoist slowly, implying danger.

57 Five rings or whistles shall signify accident in the mine and a call for a
 58 stretcher.

59 Six rings or whistles shall signify hold cage perfectly still until signaled
 60 otherwise.

61 From top to bottom, one ring or whistle shall signify: All ready, get on
62 cage.

63 Two rings or whistles shall signify: Send away empty cage.

64 *Provided*, that the operator of any mine may, with the consent of the in-
65 spector, add to this code of signals in his discretion. The code of signals in
66 use at any mine shall be conspicuously posted at the top and at the bottom of
67 the shaft, and the engine room at some point in front of the engineer when
68 standing at his post.

69 (f) Every boiler shall be provided with a glass water gauge and not less
70 than three try cocks and also a steam gauge, except that where two or more
71 boilers are equipped with a steam drum properly connected with the boilers to
72 indicate the steam pressure and without any valves between said boilers and
73 the steam drum, the steam gauge may be placed in said steam drum; and other
74 steam gauge shall be attached to the steam pipe in the engine house, each to be
75 placed in such a position that the engineer and the fireman can readily see
76 what pressure is being carried. Such steam gauges shall be kept in good order
77 and adjusted and be tested as often, at least, as every six months.

78 F. *On boilers connected with one another by what is known as headerlines,*
79 *all valve connections thereto shall be closed and securely fastened while said*
80 *boiler or boilers are being washed, cleaned or repaired for the protection of the*
81 *person so engaged.*

82 (g) Every boiler shall be provided with a safety valve with weights or
83 springs properly adjusted, except that where two or more boilers are equipped
84 with a steam drum properly connected with the boilers to indicate the steam
85 pressure and without any valves between said boilers and the steam drum, the
86 safety valve may be placed in said steam drum.

87 (h) All boilers used in generating steam in and about coal mines or sink-
88 ing shafts shall be kept in good order, and the operator of every coal mine
89 where steam boilers are in use shall have said boilers thoroughly examined and
90 inspected by a competent boilermaker or other qualified person, not an em-

91 ployee of said operator, as often as once in every six months, and oftener if the
92 mine inspector shall so require in writing, and the result of every such inspec-
93 tion shall be reported on suitable blanks to said mine inspector.

94 (i) At every underground landing where men enter or leave the cage and
95 where men must pass from one side of the cage to the other there shall be a safe
96 passageway, free from obstruction and dry as possible, around the shaft not
97 less than three feet wide for the use of men only; and animals or cars shall not
98 be taken through such passageway while men are passing or desirous of pass-
99 ing through such passageway.

100 (j) A refuge place or places for men coming out at the close of the day's
101 work shall be provided off the main bottom of cageroom in shaft mines, at a
102 place or places and of such size as shall be approved by the State Mine In-
103 spector. Such place or places shall be not more than 400 feet from the shaft,
104 where men are hoisted, and shall be kept free from loose material. When leav-
105 ing such refuge places to be hoisted out, the men shall be governed by the rules
106 of the mine.

107 (k) No accumulation of ice or obstructions of any kind shall be permitted
108 in any shaft in which men are hoisted or lowered; nor shall any dangerous
109 gasse or steam be discharged into said shaft in such quantities or at such times
110 as to interfere with the safe passage of men. All surface or other water which
111 flows therein shall be conducted by rings or otherwise to receptacles provided
112 for the same in such manner as to prevent water from falling upon men while
113 passing into or out of the mine, or while in the discharge of their duties about
114 the shaft bottom.

115 (l) All shafts by which men enter or leave the mine, and the passage-
116 ways leading thereto, or to the works of a contiguous mine used as an escape-
117 ment shaft shall be carefully examined throughout at least once each week that
118 the mine is operating and the date and findings of such an examination entered
119 promptly in the books kept at the mine for that purpose. A daily visit to the
120 bottom of all such escapement shafts shall be made by the mine examiner, and

121 if obstructions to the free passage of men are found, their location and nature
122 shall be stated in such report. Such obstructions shall be promptly removed.

Sec. 19. (a) No blasting powder, or other explosives, shall be stored in
2 any coal mine, and no workman shall have at any time in the mine more than
3 thirty-five pounds of black powder nor more than twenty-five pounds of permis-
4 sible explosives, nor more than three pounds of other high explosives: *Pro-*
5 *vided*, that nothing in this section shall be construed to prevent the operator of
6 any mine from taking into the mine, when miners are not therein, and in electri-
7 cally equipped mines, while the current is turned off on roadways through which
8 it is transported, a sufficient quantity of powder for the reasonable require-
9 ments of such mine for the next succeeding working day. The delivery of
10 powder into coal mines shall be during the interval after the shot firers have
11 come out of the mine and prior to the entry of the day shift into the mine in
12 the morning; but in the interim before such powder is delivered to the men, it
13 shall be kept in a closed receptacle.

14 Explosives shall not be carried in the same car with tools or other ma-
15 terials.

16 (b) Every person who has powder or other explosives in a mine shall keep
17 the same in a wooden box securely locked, with hinged lid, and said box shall
18 be kept as far as practicable from the track; and all powder boxes shall be
19 kept as far as practicable from each other and each in a scheduled place. Black
20 powder and high explosives or caps shall not be kept in the same box. Detonat-
21 ing explosives and detonators shall not be kept in the same box.

22 (c) Whenever a workman is about to open a box or keg containing pow-
23 der or other explosives, and while handling the same, he shall place and keep
24 his lamp at least five feet distant from said explosive, and in such position that
25 the air current cannot convey sparks to it, and no person shall approach nearer
26 than five feet to any open box containing an open keg of powder or other ex-
27 plosive with a lighted lamp, lighted pipe or other thing containing fire. No

28 miner, workman or other person shall open any receptacle containing an explo-
29 sive except by the means of opening the same provided by the manufacturer
30 thereof, and it shall be unlawful for any person to have in his possession in any
31 mine any receptacle containing explosive, which has been opened in violation
32 of this Act.

33 (d) The quantity of powder to be used in the preparation of shots shall
34 not, in any case, exceed five (5) standard chargers full of powder in coal seams
35 five and one-half ($5\frac{1}{2}$) feet or over in thickness; and shall not, in any case, ex-
36 ceed four (4) standard charges full of powder in coal seams under five and one-
37 half ($5\frac{1}{2}$) feet in thickness.

38 (e) For the purpose of determining the quantity of powder to be used
39 in the preparation of any given shot, a standard charger is defined and pre-
40 scribed to be a cylindrical metallic charger not to exceed twelve (12) inches in
41 length and not to exceed one and one-half ($1\frac{1}{2}$) inches in diameter.

42 (f) No person shall drill or shoot a dead hole as hereinafter defined. A
43 "dead hole" is a hole where the width of the shot at the point measured at
44 right angles to the line of the hole is so great that the heel is not of suffi-
45 cient strength to at least balance the resistance at the point. The heel means
46 that part of the shot which lies outside of the powder.

47 In solid shooting, the width of the shot at the point, in seams of coal six
48 (6) feet or less in height, shall not be greater than the height of the coal and
49 in seams of coal more than six (6) feet in thickness, the width of the shot at the
50 point shall, in no case, be more than six (6) feet.

51 In undercut coal, no hole shall be drilled "on the solid" for any part of
52 its length.

53 (g) In no case shall more than one kind of explosive be used in the same
54 drill hole.

55 (h) The needle used in preparing a blast shall be made of copper, and
56 any metallic tamping-bar or scraper which is used for placing explosives for
57 shots shall be tipped with at least five inches of copper. A scraper shall not
58 be used for tamping.

59 (i) Every blasting hole shall be tamped full from the explosive to the
60 mouth of the hole, and no coal dust or any material that is inflammable or that
61 may create a spark, whether the same shall be wet or dry, shall be used for
62 tamping.

63 (j) When a squib is used to fire a shot it shall be unlawful to shorten or
64 oil the match of the squib or to ignite it except at the end.

65 (k) Before firing a shot, the person firing the same shall see that all per-
66 sons are out of danger from the probable effects of such shot, and shall take
67 measures to prevent any one approaching by shouting "fire" before lighting the
68 same.

69 (l) Not more than one shot shall be lighted at the same time in any work-
70 ing place unless the firing is done by electricity or by fuses of such length that
71 the interval between the explosions of any two shots shall be not less than one
72 minute, and in no case shall any shot or shots be fired or lighted which are
73 termed depending or dependent shots, until after the expiration of ten minutes
74 from the successful firing of the relieving shot or shots. When successive shots
75 are to be fired in any working place in which the roof is broken or faulty, the
76 smoke shall be allowed to clear away and the roof examined and made secure
77 between shots.

78 (m) No person shall return to a missed shot, if lighted with a squib,
79 until *ten (10) minutes* have elapsed from the time of lighting the same, or, if
80 lighted with fuse, *until eight hours have elapsed from the time of lighting the*
81 *same*; and no person shall return to a missed shot when the firing is done by
82 electricity unless the wires are disconnected from the battery.

83 (n) No missed shot shall be withdrawn excepting by the use of copper-
84 tipped or wooden tools.

85 (o) Where shot firers are employed and fuse is used to fire shots, the
86 length of the fuse shall be not less than three and one-half ($3\frac{1}{2}$) feet outside
87 the powder, *and no shots shall be fired unless there is one foot of fuse pro-*
88 *truding from the mouth of the hole.*

Sec. 20. (a) It shall be the duty of the mine manager:

1. To visit each working place in the mine at least once in two weeks.

2. To provide a suitable checking system whereby the entrance into and departure from the mine of each employee shall be indicated.

3. To have the underground workings of the mine examined by a certified mine examiner within eight hours preceding every day upon which the mine is to be operated, *except in mines generating gas in dangerous quantities the examination of that split of air in which gas is generated shall be made within six hours preceding every day upon which the mine is to be operated.*

Such a mine examiner shall make the examination as provided in this Act, and he shall enter his report thereof with indelible pencil or ink in a well bound or properly protected loose leaf book provided for that purpose, before the men are permitted to enter the mine in the morning. This book shall be kept in some convenient place on top, but not in the engine room, for the information of the inspector and other persons interested therein.

4. To examine the mine examiner's report in the morning, and if the working places are reported dangerous, he shall withhold the entrance checks of men working in such places until he has taken every proper precaution to advise such men of the danger and instructed them not to work in such places until the reported danger has been removed, except for the purpose of removing the same.

5. When there is to be a night shift mining coal, the mine manager shall require the places in which such night shift are expected to work to be examined for gas, or falls or dangerous roof, by the person in charge of such night shift or some competent person duly authorized by him before the men enter such places for work. The night shift may go into the mine while the night examiner is in the mine, excepting in mines where much gas has been detected in dangerous quantities, provided they do not go into the working places until the required examination is made.

30 Certificated mine examiners shall not be required for the examination pre-
31 ceding the night shift, excepting in mines where marsh gas is detected in dan-
32 gerous quantities. The night examiner, or examiners, shall make a record of
33 their examination in a special book kept for that purpose, which shall be kept
34 in some convenient place on top when not in use by the examiner.

35 6. He shall provide a sufficient number of props, caps and timbers, when
36 demanded, delivered on the miners' cars at the usual place, in suitable lengths
37 and dimensions for the securing of the roof by the miners.

38 7. He shall see that the cross-cuts are made at proper distances apart, and
39 that the necessary doors, curtains and brattices are provided to secure the men
40 in the mine the volume of air required by this Act, or by the written demands
41 of the mine inspector; also, that all stoppings along air-ways are properly and
42 promptly built.

43 8. He shall keep careful watch over all ventilating apparatus, and the air
44 currents in the mine, and in case of accident to fan or machinery by which the
45 air currents are stopped or materially obstructed, he shall at once order the
46 withdrawal of the men from the mine and prohibit their return until the re-
47 quired ventilation has been re-established.

48 9. He shall measure the air current or cause the same to be measured at
49 least once each week at the inlet and outlet, also at the last open cross-cut in
50 each division or split, and shall keep a record of such measurements for the
51 information of the mine inspector.

52 10. He or his assistants shall, at least once a week, examine the escape-
53 ment shaft and the roadways leading thereto and all other openings for the
54 safe exit of men to the surface; and shall make a record of any obstructions or
55 other unsafe conditions existing therein, and cause the same to be promptly
56 removed.

57 11. He shall examine or designate a competent person to examine the hoist-
58 ing ropes, cages and safety catches every morning, and shall require the ropes
59 to be tested by hoisting the cage before the men are lowered.

60 12. He must see that the top man and bottom man are on duty and that
 61 sufficient lights are maintained at the top and bottom landings when the miners
 62 are being hoisted and lowered.

63 13. The mine manager or his assistant shall be at his post at the mine
 64 when the men are lowered into the mine in the morning for work, and shall
 65 remain at night until all the men employed during the day shall have been
 66 hoisted out.

67 14. He shall give special attention to and instructions concerning the
 67 proper storage and handling of explosives in the mines.

68 15. He shall see that all dusty haulage roads are regularly and thoroughly
 69 sprayed, sprinkled or cleaned at regular intervals when the health and safety of
 70 the men in the mines demand.

71 (b) The mine manager shall have power:

72 1. To instruct employees as to their respective duties and to require of all
 73 employees obedience to the provisions of the mining law.

74 2. To prescribe special rules concerning the proper storage and handling
 75 of explosives in the mine and concerning the time and manner of placing and
 76 discharging the blasting shots, and it shall be unlawful for any miner to fire
 77 shots except according to such rules.

78 3. In mines in which the works are so extensive that all the duties de-
 79 volving upon the mine manager cannot be discharged by one man, competent
 80 persons may be designated and appointed as assistants to the mine manager,
 81 who shall exercise his functions under the mine manager's instructions.

Sec. 21. (a) A certified mine examiner shall be required at all coal
 2 mines. There shall be one or more additional certified mine examiners when-
 3 ever required in writing by State mine inspectors when the conditions are such
 4 as to make the employment of such additional mine examiners necessary.

5 (b) It shall be the duty of the mine examiner:

6 1. To examine the underground workings of the mine within eight hours
 7 preceding the time the day shift goes on duty, every day upon which the mine

8 is to be operated, *excepting in mines generating gas in dangerous quantities,*
9 *the examination of that split of air in which gas is generated shall be made*
10 *within six hours preceding every day upon which the mine is to be operated,*
11 *and excepting that when in the judgment of the State Mine Inspector expressed*
12 *in writing to the coal operator, a mine generates explosive gas in dangerous*
13 *quantities, a State Mine Inspector shall require the mine to be examined for*
14 *gas in such manner and at such shorter intervals than six hours before the*
15 *time the day shift goes on duty every day upon which the mine is to be oper-*
16 *ated, as may be necessary to insure the safety of the men working in such mine.*
17 In all mines where closed electric lamps are used exclusively, said mines shall
18 be examined within four hours preceding the time the day shift goes on duty.

19 2. When in the performance of his duties, to carry with him a safety lamp
20 in proper order and condition and a rod or bar for sounding the roof.

21 3. To see that the air current is traveling in its proper course and in
22 proper quantity; and to measure with an anemometer the amount of air pass-
23 ing in the last cross-cut or break-through of each pair of entries, or in the last
24 room of each division in long-wall mines, and at all other points where he may
25 deem it necessary; and to note the result of such measurements in the mine ex-
26 aminer's book kept for that purpose.

27 4. To inspect all places where men are required in the performance of
28 their duties to pass or to work, and to observe whether there are any recent
29 falls or dangerous roof or accumulations of gas or dangerous conditions in
30 rooms or roadways; and to examine especially all roadways leading to escape-
31 ment shafts or other openings for the safe exit of men to the surface, the edges
32 and accessible parts of recent falls and old gobs and air-courses.*

33 5. As evidence of his examination of said rooms and roadways, to inscribe
34 in some suitable place on the walls of each, not on the face of the coal, with
35 chalk, the month and the day of the month of his visit.

36 6. When working places are discovered in which there are recent falls or
37 dangerous roof or dangerous conditions, to place a conspicuous mark or sign

38 thereat as notice to all men to keep out; and in case of accumulation of gas, to
 39 place at least two conspicuous obstructions across the roadway not less than
 40 twenty feet apart, one of which shall be outside the last open cross-cut.

41 7. Upon completing his examination, to make a daily record of the same
 42 in a book kept for that purpose, for the information of the company, the inspec-
 43 tor and all other persons interested; and this record shall be made each morn-
 44 ing before the miners are permitted to enter the mine.

45 8. To take into his possession the entrance checks of all men whose
 46 working places have been shown by his examination and record to be danger-
 47 ous, and to give such entrance checks to the mine manager before the men are
 48 permitted to enter the min in the morning.

Sec. 24. (a) In no case shall the workings of any mine be driven nearer
 2 than 10 feet to the boundary line of the coal right pertaining to said mine, ex-
 3 cept for the purpose of establishing an underground communication between
 4 contiguous mines, as provided for elsewhere in this Act, or except by mutual
 5 agreement in writing between the adjoining owners.

6 (b) Whenever any working place approaches within 50 feet of abandoned
 7 workings of which there is a map prepared as required by law and which may
 8 contain dangerous accumulations of water or gas, the operator of said mine
 9 shall advance by workings not more than 20 feet wide and maintain in advance
 10 of the face a bore hole not less than 10 feet in depth, *located in the center of the*
 11 *coal seam and working face*, and one hole in each rib of the working place 10
 12 feet in depth, which side holes shall be drilled so as to make an angle of not less
 13 than forty-five degrees with the direction of the rib. If there is not a map of
 14 the abandoned workings, the holes heretofore provided for shall be drilled
 15 when the new working are within 100 feet of where the old workings are sup-
 16 posed to be. *In mines where electric safety lamps are used working places be-*
 17 *ing driven within a distance of 75 feet from the old and abandoned workings shall*
 18 *be examined by a competent person after the machine has cut the place and be-*
 19 *fore the miners are allowed to enter the place.*

Sec. 29. (a) Any willful neglect, refusal or failure to do the things required to be done by any section, clause or provision of this Act, on the part of the person or persons herein required to do them, or any violation of any of the provisions or requirements hereof, or any attempt to obstruct or interfere with any inspector or person in the discharge of the duties herein imposed upon him, or any refusal to comply with the instructions of an inspector or person given by authority of this Act shall be deemed a misdemeanor punishable by a fine not exceeding five hundred dollars, or by imprisonment in the county jail for a period not exceeding six months, or both, at the discretion of the court: *Provided*, that in addition to the above penalties, in case the failure of any operator to comply with the provisions of this Act in relation to the sinking of escapement shafts and the ventilation of mines, the State's attorney for the county in which such failure occurs, or any other attorney, in case of his neglect to act promptly, shall proceed against such operator by injunction without bond, to restrain him from continuing to operate such mine until all legal requirements shall have been fully complied with.

(b) Any inspector who shall discover that any section of this Act, or part thereof, is being neglected or violated, shall order immediate compliance therewith, and, in case of continued failure to comply, shall have power to stop the operation of the mine, or to remove any offending person or persons from the mine law is complied with.

(c) For any injury to person or property, occasioned by any willful violation of this Act, or willful failure to comply with any of its provisions, a right of action shall accrue to the party injured, for any direct damages sustained thereby; and in case of loss of life by reason of such willful violation or willful failure as aforesaid, a right of action shall accrue to the personal representatives of the person so killed for the exclusive benefit of the widow and next of kin of such person and to any other person or persons who were, before such loss of life, dependent for support on the person or persons so killed, for a like recovery of damages for the injuries sustained by reason of such loss of life or

31 lives not to exceed the sum of ten thousand dollars: *Provided*, that every such
32 action for damages in case of death shall be commenced within one year after
33 the death of such person: *And, provided, further*, that the amount recovered
34 by the personal representative of the person so killed shall be distributed to the
35 widow and next of kin of such person in the proportion provided by law in re-
36 lation to the distribution of personal property left by persons dying intestate:
37 *Provided*, that if and whenever there shall be in force in this State, a statute
38 or statutes providing for compensation to workmen for all injuries received in
39 the course of their employment, the provisions thereof shall apply in lieu of the
40 right of action for damages provided in this Act.

Sec. 2. Section 17 of said Act is repealed.



1 Adopted June 1, 1921.

AMENDMENT NO. 1.

Amend printed House Bill No. 812 on page 1, second section 1, by striking
2 all of line 2 after the word "Board" and all of lines 3 and 4 inclusive, and
3 substituting in lieu thereof the following: "as provided for in the Civil Admin-
4 istrative Code of Illinois."

AMENDMENT NO. 2.

Amend printed House Bill No. 812, on page 2, second section 1, line 7, para-
2 graph b, by inserting after the word "mines" "an economic investigator."

AMENDMENT NO. 3.

Amend printed House Bill No. 812, on page 4, Section 2 (b), line 8, after
2 the word "mines" by adding the words "and economic investigator."



- 1 Introduced by Mr. Mooneyham, May 18, 1921.
- 2 Read by title, ordered printed and referred to Committee on Industrial Affairs.

A BILL

For an Act to amend Section 2 of "An Act to provide for wash rooms in certain employments to protect the health of employees and secure public comfort," approved June 26, 1913, in force July 1, 1913, as amended.



SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That Section 2 of "An Act to provide
3 for wash rooms in certain employments to protect the health of employees and
4 secure public comfort," approved June 26, 1913, in force July 1, 1913, as
5 amended, is amended to read as follows:

Sec. 2. Such wash room shall be so arranged that employees may change
2 their clothing therein, and shall be sufficient for the number of employees en-
3 gaged regularly in such employment; shall be provided with lockers or hangers
4 in which employees may keep their clothing; shall be provided with hot and
5 cold water and with sufficient and suitable places and means for using the
6 same; and provided with a sufficient number of showers for the use of em-
7 ployees who regularly use said wash room; and during cold weather shall be
8 sufficiently heated.



- 1 Introduced by Mr. Rew, May 18, 1921.
- 2 Read by title, ordered printed and referred to Committee on Industrial Affairs.

A BILL

For an Act to regulate the use of electricity in the mines of the State of Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That all mines in the State using A. C.
3 current underground shall construct and main fireproof rooms in which to install
4 transformers. All wires leading to said transformers shall be properly and
5 sufficiently insulated for the protection of persons or animals coming in contact
6 therewith.

7 Transformers shall be constructed with automatic cut-outs in case of short
8 circuiting.

Sec. 2. All wires carrying electric current passing through curtains or in-
2 flammable material shall be properly protected so as not to ignite said curtains
3 or inflammable material.

Sec. 3. (a) Trolley wires or other exposed electrical wires shall not carry
2 a voltage above 275 volts.

3 (b) All trolley and positive feed wires crossing places where persons or
4 animals are required to travel shall be safely guarded or protected from such
5 persons or animals coming in contact therewith.

6 (c) All terminal ends of positive wires shall be guarded so as to prevent
7 persons inadvertently coming in contact therewith.



- 1 Introduced by Mr. Rew, May 18, 1921.
- 2 Read by title, ordered printed and referred to Committee on Industrial Affairs.

A BILL

For an Act to amend Section 2 of "An Act to amend an Act entitled, 'An act providing that operators of mines shall furnish shot firers in mines where shooting and blasting is done,' approved May 18, 1905, in force July 1, 1905," approved May 20, 1907, in force July 1, 1907, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That Section 2 of 'An Act to amend an
3 Act entitled, "An Act providing that operators of mines shall furnish shot fir-
4 ers in mines where shooting and blasting is done,' approved May 18, 1905, in
5 force July 1, 1905," approved May 20, 1907, in force July 1, 1907, as amended,
6 is amended to read as follows:

Sec. 2. In all mines in this State where coal is blasted, and where more
2 than two pounds of powder is used for any one blast; and, also in all mines in
3 this State where gas is generated in dangerous quantities, a sufficient number
4 of practical, experienced miners, *who shall be citizens of the United States and*
5 *able to speak and understand the English language,* to be designated as shot

6 firers, shall be employed by the company, at its expense, whose duty it shall be
7 to inspect and do all the firing of all blasts, prepared in a practical, workman-
8 like manner in said mine or mines.



- 1 Introduced by Committee on Public Utilities and Transportation, May 18, 1921.
- 2 Read at large a first time, ordered printed, and to a second reading.

A BILL

For an Act relating to transportation districts.

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* Whenever any area of contiguous terri-
3 tory, lying wholly within one county (and not co-terminous with such county
4 or with any city, village or incorporated town), contains one or more cities, vil-
5 lages or incorporated towns and has or desires to establish therein a local
6 transportation system, such territory may be incorporated as a transportation
7 district in the manner following:

8 Any five thousand legal voters residing within the limits of such proposed
9 transportation district may petition the county judge of the county in which such
10 territory shall be situated, to cause the question to be submitted to the legal vot-
11 ers of such proposed district, whether they will create and incorporate a trans-
12 portation district under this Act. Such petition shall be addressed to said
13 county judge and shall contain a proposed name and the proposed boundaries
14 of such proposed district and shall contain a prayer that the question be sub-

mitted to the legal voters residing within such proposed district whether they will so create and organize a transportation district under this Act. No territory shall be included in more than one transportation district.

Upon the filing of such petition in the office of the county judge of the county in which the district proposed in such petition is situated, it shall be the duty of the county judge of said county to fix a day and hour for the public consideration thereof, which shall not be less than twenty days nor more than thirty days after the filing of such petition, and said county judge shall order any and all persons who desire to object to the said petition for the creation and incorporation of such transportation district, to file their objections not less than three days before the date fixed for the public consideration of said petition.

Said county judge shall cause a notice of such public consideration to be published at least three times on different days in some newspaper having a general circulation in the proposed district. The date of the last publication of such notice shall not be less than fifteen days prior to the date set for public consideration thereof and said notice shall contain a statement that a petition for the creation and incorporation of a transportation district under this Act has been filed, the proposed name of such proposed district, the proposed boundaries of such proposed district, and the time within which all persons who desire to object to the said petition for the creation and incorporation of such district will be required to file their objections under this Act.

At the time and place fixed for such public consideration the county judge shall give any and all persons who have filed objections as hereinabove provided an opportunity to be heard touching the legality and sufficiency of the petition.

If said county judge shall determine that said petition is legal and sufficient, he shall enter an order to that effect upon the records of the county court wherein he presides and shall submit to the legal voters of the proposed transportation district the question of the creation and incorporation of such district, at any general election or at the time of holding a city or village election

45 for any city or village wherein reside a majority of the legal voters of such pro-
46 posed transportation district.

47 If no such general election, city election or village election shall be by law
48 provided to be held in said proposed transportaton district within not less than
49 three months nor more than six months after such determination by the county
50 judge, it shall be the duty of the county judge to submit to the legal voters of
51 said prposed transportation district at a special election the question of the
52 creation and incorporation of such proposed transportation district, and it
53 shall be the duty of the county judge to call such special election and to fix a
54 time and place or places for the holding of the same within the said proposed
55 district. Notice of election, whether held upon a general or cty or village elec-
56 tion day or upon a special election day called under the terms hereof by said
57 county judge, shall be given by said county judge at least twenty days prior to
58 such election by publication in one or more newspapers of general circulation
59 published within such proposed transportation district and each duly qualified
60 voter residing within such proposed transportation district shall have the right
61 to vote at such electon.

62 The ballot to be used at such election shall be printed by the officers
63 charged by law with the duty of printing ballots for general elections in said
64 county, and shall contain a description of said proposed transportation dis-
65 trict and the words "For Transportation District" and "Against Transpor-
66 tation District," and each duly qualified voter residing wthin said proposed
67 transportation district shall have the right to cast his or her ballot for or
68 against the creation and incorporation of such propsed transportation district.
69 The ballots so cast shall be received; returned and canvassed in the same man-
70 ner and by the same officers as is provided by law in the case of ballots cast for
71 county officers, and any contest of the result of such election shall be tried as
72 nearly as may be in accordance with "An Act in regard to elections, and to
73 provide for filling vacancies in elective offices," approved April 3, 1872, in
74 force July 1, 1872. The election officials canvassing returns shall cause a

75 statement of the result of such election to be certified to the county judge,
76 hereinbefore designated, and said county judge shall cause such statement to
77 be spread upon the records of the county court wherein he presides. If a ma-
78 jority of the votes cast upon the question of the creation an dincorporation of
79 the proposed transportation district shall be in favor of the proposed transpor-
80 tation district, such proposed district shall thenceforth be a duly organized
81 transportation district under this Act.

Sec. 2. All courts in this state shall take judicial notice of the existence
2 of any and all transportation districts organized under this Act. Upon the or-
3 ganization of any transportation district under this Act, said county judge
4 shall call an election to be held within ninety days after the organization of
5 such district, to elect trustees of such transportation district, in accordance
6 with the provisions of this Act, and shall cause notice of such election of trus-
7 tees to be published.

8 Except as otherwise herein provided all provisions of law relating to gen-
9 eral elections shall apply to such election, the ballots shall be printed by the
10 officers charged by law with the duty of printing ballots for general elections,
11 ballots shall be received, returned, and canvassed in the same manner and by
12 the same officers as is provided by law in the case of ballots cast for county offi-
13 cers, and any contest of the result of such election shall be tried as are contests
14 of elections of county officers under "An Act in regard to elections, and to pro-
15 vide for filling vacancies in elective offices," approved April 3, 1872, in force
16 July 1, 1872, as amended.

17 Such transportation district shall from and after the first election for
18 trustee held by it under this Act, be a body corporate and politic under the
19 name proposed in the petition mentioned in Section 1 of this Act, and by such
20 name and style may sue and be sued, may contract and be contracted with, may
21 acquire and hold real and personal property for corporate purposes, may sell
22 and dispose of the same and may adopt a corporate seal and alter the same at
23 pleasure.

Sec. 3. In each transportation district organized under this Act, there shall be elected at the time of holding the first election hereunder nine trustees, three of whom shall be elected to serve until the first day of May in the first odd numbered year next following such election, three to serve until the first day of May in the second odd numbered year next following such election, and three to serve until the first day of May in the third odd numbered year following such election, it being the intent and purpose of this Act to have the terms of three of such trustees expire on the first day of May in each odd numbered year. Thereafter, at the expiration of the terms of the several trustees elected at the first election, their successors shall be elected for a term of six years from the first day of May in the year in which they are elected and until their successors are elected and qualified.

(a) After said first election, general elections for trustees shall be held on the last Tuesday of February in each odd numbered year. The first election of trustees shall be held on the date fixed by the county judge in accordance with the provisions of Section 2 of this Act.

(b) All nominations for trustees shall be by petition filed in the office of the county clerk. All petitions for nomination of candidates shall be signed by such a number of the duly qualified voters of such district as will aggregate not less than one per cent of all the votes cast for governor in the territory embraced in such district at the last preceding general election. All such petitions, and procedure with respect thereto, shall conform in other respects to the provisions of the election and ballot laws then in force in the territory in which such election shall be held. The method of nomination herein provided is exclusive of and replaces all other methods heretofore provided by law.

(c) Any candidate for trustee under the provisions of this Act may withdraw his name as such candidate by filing with the county clerk of the county in which such transportation district is located, not later than 20 days before the holding of the election, his written request signed by him and duly acknowledged

30 before an officer qualified to take acknowledgments of deeds, whereupon his
31 name shall not be printed as a candidate upon the official ballot.

32 (d) Ballots to be used in elections held under the provisions of this Act,
33 in addition to other requirements of law, shall conform to the following
34 requirements:

35 (1) At the top of the ballots shall be printed in capital letters words
36 designating the ballots. If a general trustee election, the words shall be, "Local
37 Transportation District official election ballot."

38 (2) Beginning not less than one inch below such designating words, and
39 extending across the face of the ballot, the title of the office to be filled shall
40 be printed in capital letters.

41 (3) The names of candidates for different terms of service therein (if any
42 there be) shall be arranged and printed in groups according to the length of
43 such terms.

44 (4) Immediately below the title of each office or group heading indicating
45 the term of office, shall be printed in small letters the direction to voters, as to
46 the number of persons they shall vote for; as "vote for one" or "vote for two"
47 or "vote for three" and so on, as the case may be.

48 (5) Following thereupon, shall be printed the names of the candidates for
49 trustees according to the terms thereof, and below the name of each candidate
50 shall be printed his place of residence, stating the street and number, if any.
51 The names of candidates shall be printed in capital letters not less than one-
52 eighth nor more than one-fourth inch in height, and immediately at the left of
53 the name of each candidate shall be printed a square, the sides of which shall
54 not be less than one-fourth inch in length. The names of all the candidates for
55 each office shall be printed in a column and arranged in the order hereinafter
56 designated; all the names of candidates shall be printed in uniform type; the
57 place of residence of each such candidate shall be printed in uniform type;
58 and the squares upon said ballots shall be of uniform size; and spaces between
59 the names of the candidates for the same group shall be of uniform size.

60 (6) Said ballots shall be prepared in as many series as there are candi-
61 dates in the group in which there is the largest number of names. The ballots
62 of the first series shall contain the names of all the candidates for each group
63 to be filled, one immediately following the other in alphabetical order according
64 to their surnames; the ballots of the second series shall be like those of the first
65 series, except that the name appearing first in the list of candidates for each
66 group in said first series shall, in the second series, be printed after all the
67 other names in the list of candidates for such group; the ballots of the third
68 series shall be like those of the second series, except that the name first appear-
69 ing in the list of candidates for each group in said second series shall be
70 printed after all the other names in the list of candidates for such group; and
71 so on successively, the name at the top of any list of candidates for each group
72 in any series being placed at the bottom of the respective lists of candidates for
73 such group in each succeeding series, until the name of each candidate for each
74 group shall appear at least once at the head of the list of candidates for such
75 group. The different series of ballots shall be distributed in substantial equal-
76 ity among all the voting precincts comprised in such transportation district; but
77 the ballots of no more than one series shall be distributed to one voting
78 precinct.

79 (e) Each voting precinct in such transportation district shall be allotted
80 at each election held therein a number of ballots equal to the total number of
81 votes cast for governor in such precinct at the next preceding general election
82 and in addition thereto ten per cent. On the back or outside of the ballot of
83 each voting precinct shall be printed proper words so as to be visible when
84 said ballot is folded, designating said ballot, the precinct, the date of the elec-
85 tion, and exhibiting a facsimile signature of the election official having in charge
86 the printing of the ballots.

87 (f) No party name, party initial, party circle, platform, principle, appel-
88 lation or distinguishing mark of any kind, shall be printed upon any election
89 ballot used at any election held under the provisions of this Act. If any party

90 primary election or any election for any office other than transportation district
91 trustees shall be held at the same time with any transportation district elec-
92 tion, the ballot for transportation district trustee shall be separate from all
93 other ballots, except that any question relating to such transportation district
94 submitted to the voters thereof and not required by law to be submitted on a
95 separate ballot, shall be submitted upon the same ballot as that used for trans-
96 portation district trustees.

97 (g) In all elections held hereunder, whether general or special, the polls
98 shall be opened at six o'clock in the morning and remain open until four o'clock
99 in the afternoon: *Provided*, if any election hereunder shall fall on the same
100 day as any city, village or township election, then the polls in such city, vil-
101 lage or township shall remain open for the election of trustees of such trans-
102 portation district during the same hours as they are open for such city, village
103 or township election.

104 (h) Any candidate for trustee under the provisions of this Act may ap-
105 point in writing over his signature not more than one representative for each
106 place of voting, who shall have the right to act as challenger and watcher for
107 such candidate at any election at which his name is being voted upon. Such
108 challenger and watcher shall have the same powers and privileges as a chal-
109 lenger and watcher under the election laws of this State. No political party
110 shall have the right to keep any challenger or watcher at any polling place at
111 any election held under the provisions of this Act, unless candidates for some
112 office other than transportation district trustees are to be voted for at the same
113 time.

114 (i) In all elections for trustees each duly qualified elector resident in
115 such transportation district may vote for as many candidates as there are trus-
116 tees to be elected, but no elector may give to such candidates more than one
117 vote each, it being the intent and purpose of this Act to prohibit cumulative
118 voting in the election of members of the board of trustees of such transporta-
119 tion district.

120 (j) The three candidates in each group receiving the highest number of
121 votes in such first election shall be declared elected, and certificates of election
122 shall be issued to them in the manner provided for the issuance of certificates
123 under the general election laws.

124 (k) The three candidates receiving the highest number of veost for a full
125 term at all general elections, after the first election, shall be declared elected
126 and certificates of election shall be issued to them in the manner provided for the
127 issuance of certificates under the general election law.

128 (l) Where, at any election, a vacancy or vacancies are to be filled, the
129 provisions of this Act shall apply and any candidate for a vacancy receiving
130 the highest number of votes cast for candidates for the same term (or in case
131 of more than one vacancy in the same term the candidates receiving the highest
132 number of votes cast) shall be declared elected.

133 (m) When, in any election held under this Act, two or more candidates
134 receive an equal number of votes, the determination as to which is selected or
135 as to which is entitled to the longer term shall be decided in the manner pre-
136 scribed by Sections 73 and 74 of "An Act in regard to elections and to pro-
137 vide for filling vacancies in elective offices," approved April 3, 1872, in force
138 July 1, 1872.

139 (n) No person shall be elected or appointed as a trustee of any transpor-
140 tation district in this State who is not a citizen of the United States and who
141 shall not have resided in said district one year next preceding the election or
142 appointment.

143 (o) All laws in force governing elections and not inconsistent with the
144 provisions of this Act shall govern elections held under the terms of this Act.

145 (p) Ballots to be used at all elections held under the terms of this Act
146 shall be printed by the officers charged by law with the duty of printing ballots
147 for general elections. The ballots shall be received, returned and canvassed,
148 and certificates of election issued in the same manner and by the same officers
149 as is provided by law in the case of elections of county officers.

150 (q) Contests of the result of any election held under this Act shall be tried
 151 as are contests of elections of county officers under “An Act in regard to elec-
 152 tions, and to provide for filling vacancies in elective offices,” approved April 3,
 153 1872, in force July 1, 1872, as amended.

154 (r) When a vacancy shall occur in the office of trustee of any local trans-
 155 portation district organized under the provisions of this Act, the vacancy shall
 156 be filled by appointment by the board of trustees of such district, and the per-
 157 son so appointed to fill such vacancy shall perform the duties of a trustee of
 158 such district until the next regular election shall be held as herein provided, at
 159 which time a trustee shall be elected to fill the remainder of the unexpired term.

Sec. 4. Each person elected or appointed as trustee shall before assuming
 2 the duties of his office subscribe the oath prescribed by the constitution for pub-
 3 lic officers, and shall give bond in the sum of ten thousand dollars for the faith-
 4 ful performance of the duties of his office. The trustees elected in pursuance
 5 of the provisions of this Act shall constitute a board of trustees for the trans-
 6 portation district in which they are elected, and are hereby declared to be the
 7 corporate authorities of such transportation district, and shall exercise all the
 8 powers and manage and control all the affairs and property of such district,
 9 subject only to such limitations as are expressly imposed by this Act. No offi-
 10 cial action shall be taken except upon the favorable vote of at least five trus-
 11 tees. Said board of trustees shall upon its first organization, and thereafter in
 12 May of each odd-year choose from among its members a president to serve for
 13 a term of two years, or until his successor is elected and qualified. The presi-
 14 dent shall preside at the meetings of the board of trustees and shall have the
 15 same power to vote at such meetings as any other member, but shall have no
 16 power of veto.

17 Said board of trustees shall have power to employ necessary employes and
 18 to discharge them, to prescribe their duties and compensation, to pass ordi-
 19 nances, orders, rules, resolutions and regulations for the employment and dis-

20 charge of employes and for the proper management and conduct of the busi-
21 ness of said transportation district, and of said corporation, and for carrying
22 into effect the objects for which such district is created. All meetings of the
23 board of trustees shall be public. All records of such meetings and of the
24 board shall at all times be open to the inspection of the public.

Sec. 5. The board of trustees shall choose from without the members of
2 the board a general manager who shall, subject to the control of the board, be
3 the operating head of all transportation lines, operated or controlled by such
4 district, and have charge of all work of construction undertaken by such
5 district.

6 The board of trustees shall choose from without the members of the board,
7 a secretary and a treasurer, and shall fix their terms, compensation and duties.

Sec. 6. Trustees elected under the terms of this Act shall receive such
2 compensation as may be fixed by the board of trustees, which shall in no case
3 exceed the salary fixed by law for judges of the circuit court for the county in
4 which such transportation district is located. The general manager shall re-
5 ceive such salary as may be determined by the board of trustees.

Sec. 7. The board of trustees of every transportation district shall by
2 ordinance provide for the deposit of transportation district funds. Such
3 ordinance shall provide for the selection of depositaries by competitive bid, the
4 bidders being limited to regularly established national and state banks within
5 the district. Such bids shall be publicly opened and acted upon by the board
6 of trustees. Awards shall in all cases be made to the highest and best respon-
7 sible bidder or bidders. All bids may be rejected and new bids advertised for.
8 No transportation district funds shall be deposited in any bank nor shall any
9 award be effective until such depositary shall have delivered to the secretary
10 of the board of trustees of such district a bond running to such district in an
11 amount equal to the amount which such bank or depositary shall be designated
12 as entitled to receive under its bid, with such sureties as the board shall ap-

13 prove, or shall have deposited with such district securities equal in market
 14 value to the amount of funds to be deposited. The board of trustees shall by
 15 ordinance prescribe all conditions under which each depositary shall receive
 16 and retain funds of such district. It is the intent and purpose of this section
 17 that the ordinance or ordinances adopted hereunder by the board of trustees of
 18 each transportation district shall provide not only for the proper safeguarding
 19 of all transportation district funds, but also that such district shall receive upon
 20 such funds the highest and best rate or rates of interest which may be safely
 21 obtainable thereon. The board of trustees shall have full authority to regulate
 22 by ordinance all details with respect to the matters covered by this section,
 23 and to establish active and inactive depositaries, or to make any other provi-
 24 sions appropriate or incident to the proper exercise of the duties imposed by
 25 this section.

Sec. 8. No person shall in any manner solicit any assessment, subscription
 2 or contribution for any party or political purpose in any building, office or
 3 room, or upon or in any property occupied or used by or for any purpose of
 4 such district; and no officer or employee in the service of a transportation dis-
 5 trict shall solicit, obtain or receive from another such officer or employee any
 6 assessment, subscription or contribution for any party or political purpose.
 7 No person shall give or pay or promise to give or pay directly or indirectly
 8 any money or other valuable thing for any appointment or promotion in the
 9 service of such district or promise or receive appointment or promotion in the
 10 service of such district or promise or receive appointment or promotion in
 11 consideration of any political service rendered or to be rendered.

Sec. 9. The trustees of each transportation district organized under this
 2 Act shall employ from without the members of the board an employment super-
 3 intendent, who, together with the general manager and the president of the
 4 board of trustees, shall constitute an employment board for such district.

5 The employment superintendent shall, subject to the approval of such em-
6 ployment board, classify all places of employment under such transportation
7 district. In order to establish uniformity of pay and title for all places of
8 employment, such employment board shall recommend and the board of trustees
9 shall prescribe maximum and minimum pay for each grade, and the title
10 thereof, and the employment board shall report to the board of trustees annu-
11 ally, and at such other times as they may direct, the name and address of each
12 employee paid more or less than the pay prescribed for his grade or designated
13 by a title other than that prescribed for his grade. The employment board
14 shall have power to recommend to the board of trustees rules and regulations
15 for the employment, promotion, transfer and removal of employees, and for
16 maintaining and keeping records of the efficiency of employees of such trans-
17 portation district, and such board of trustees shall adopt rules and regulations
18 dealing with these subjects. Such rules shall contain provisions as to appoint-
19 ments, the promotion of employees, removals, and hearings or other safeguards
20 with respect to removals from the service.

21 All records and reports of the employment board and of the employ-
22 ment superintendent, and all records and reports of the board of trustees with
23 respect to employment shall at all times be open to public inspection.

24 The employment board shall certify to the treasurer or other financial or
25 auditing officer of such transportation district, all appointments to offices and
26 employments, or vacancies occurring therein, whether by dismissal, resigna-
27 tion or death. No treasurer, comptroller, paymaster, auditing officer or other
28 officer or agent of such transportation district shall approve the payment of or
29 be in any manner concerned in paying any salary or wage to any person for
30 service as an officer or employee in the public service covered by this Act, un-
31 less an estimate, pay roll or account for such salary or wage containing the
32 names of the persons to be paid, and a statement of the amount to be paid each,
33 and the matter on account of which the same is to be paid, shall be filed with
34 him bearing the certificate of said employment board, or of the employment

35 superintendent that the persons named in such estimate, pay roll or account
36 have been appointed or employed in pursuance of the rules and regulations of
37 the board of trustees, and that the amounts of money set forth are lawfully due
38 them under this Act and the rules and regulations made in pursuance of this
39 Act.

40 The employment board shall have authority to conduct investigations upon
41 all matters committed to such board by this Act or by rules and regulations
42 adopted thereunder, and for that purpose to administer oaths and affirmations,
43 compel the attendance and testimony of witnesses and the production of
44 papers. Fees of witnesses for attendance and travel in appearing before such
45 employment board shall be the same as the fees for witnesses before circuit
46 courts, and shall be paid from appropriations for the expenses of such board.
47 Any circuit court or any judge thereof, either in term time or vacation, upon
48 application of any member of the employment board may, in his discretion, com-
49 pel the attendance of witnesses, the production of books and papers, and giving
50 of testimony before such board or before any investigating officer, by attach-
51 ment for contempt or otherwise, in the same manner as the production of evi-
52 dence may be compelled before said court. Every person who, having taken an
53 oath or made affirmation before a member of the employment board or officer
54 appointed by such board and authorized to administer oaths, shall swear or
55 affirm wilfully, corruptly and falsely, shall be guilty of perjury, and upon con-
56 viction shall be punished accordingly.

57 It is the intent and purpose of this section that all employees of the trans-
58 portation district, whose terms are not otherwise provided for under this Act,
59 shall hold their places of employment so long as they shall efficiently perform
60 the work for which they were employed. It is also the purpose of this section
61 that all employments and promotions under the transportation district shall
62 be made for merit (with due regard to experience) upon examination or investi-
63 gations conducted by such employment board or by the employment superin-
64 tendent before such employment or promotion. No questions shall be asked of

65 any applicant for appointment employment or promotion, which relate to politi-
66 cal affiliations; and no removal, discharge or reduction shall be made for politi-
67 cal causes.

Sec. 10. The term "local transportation system" as used in this Act may
2 include street railroads, elevated railroads, monorails, motor busses, subways,
3 tunnels, or any combination thereof, and all other means now or hereafter used,
4 or capable of use, in connection with or as a method of transportation, wholly or
5 mainly within such district, whether upon, above or below, or partly upon, above
6 or below the land or water or either thereof, together with all tracks, rolling
7 stock, equipment, plant or plants, terminals, real and personal property, rights,
8 franchises or privileges appropriate or incident thereto; or any part or parts
9 thereof.

10 Nothing in this Act shall be construed to apply to any railroad now or
11 hereafter operated by steam or to the class of railroads now known as steam
12 railroads, or to the class of railroads now known as interurban railroads, what-
13 ever the motive power now or hereafter used thereon. But anything contained
14 in this Act to the contrary notwithstanding, the board of trustees of any trans-
15 portation district organized hereunder shall have full power and authority to
16 acquire, construct or lease and to operate railroads of the kind now known as
17 the elevated railroads in the city of Chicago in case said board of trustees of
18 such transportation district shall, at any time, find that it is expedient and
19 practicable under the law to do so.

20 The board of trustees of any transportation district organized under this
21 Act shall have power to provide such a local transportation system as will, in
22 their judgment, conduce to the health, comfort, welfare and convenience of the
23 people of such district, with such extensions and alterations thereof and ad-
24 ditions thereto as from time to time they may deem advisable, and for that pur-
25 pose shall have power:

26 (a) To own, to acquire by purchase, lease or otherwise, and to maintain
27 and operate, a local transportation system or systems as defined in this Act.

28 (b) To construct subways, tunnels, elevated structures, tracks, buildings
29 and any or all parts of a local transportation system or systems as herein de-
30 fined.

31 (c) To enter into contracts, agreements, or leases with any person or pub-
32 lic or private corporation now or hereafter owning, controlling, constructing or
33 operating any transportation system or part thereof, within or without such
34 district or owning, controlling, constructing or operating structures, facilities
35 or services, useful in connection with any local transportation system of such
36 district, with respect to any transportation system of such district, and the
37 structures, facilities, services or transportation system or part thereof, owned,
38 controlled, operated or constructed by such person or public or private corpo-
39 ration, including full power to enter into any operating agreement with any
40 other person or public or private corporation owning, controlling, operating or
41 constructing any transportation line whereby any portion or portions of the
42 structures, lines or equipment of either or any of the parties to such agreement
43 or agreements may be used and operated by or for the cars or trains or in con-
44 nection with the structures, lines or equipment of any other party or parties
45 thereto.

46 (d) To grant to persons or public or private corporations the right to
47 place pipes, wires or conduits in, under or upon any property under its con-
48 trol, upon such terms and at such rates as such district shall deem just and rea-
49 sonable.

50 (e) To sell any or all property acquired under the provisions of this Act,
51 or to lease any or all such property to any person or public or private corpora-
52 tion, subject to the provisions of Section 15 of this Act.

53 (f) To receive consents or grants from any city, village or incorporated
54 town, of the right to construct or operate or to construct and operate
55 or to acquire and operate a street railroad or any or all parts of a
55½ local transportation system, within such city, village or incorporated town,

56 or to use any property, facilities or services of such city, village or incorpo-
57 rated town, and to accept from any such city, village or incorporated town a
58 license, nomination or designation in conformity with any right reserved to
59 purchase any street railroad or transportation system. No power conferred by
60 this Act is intended to authorize the construction and operation of a street rail-
61 road in violation of Article eleven, Section 4, of the constitution of this State.

62 (g) To do any and all things appropriate or incident to the constructing,
63 owning, acquiring, purchasing, leasing, maintaining and operating of a local
64 transportation system or any part thereof, whether such authority is expressly
65 enumerated herein or not.

Sec. 11. Any transportation district shall have authority to acquire any
2 local transportation system or systems or franchises therefor or property ap-
3 propriate or incident thereto, or operated therewith, authorized or operating in
4 such transportation district under a license, permit or franchise, or operating
5 in such district without any license, permit, or franchise, by condemnation in
6 the manner provided by law for the taking and condemning of private property
7 for public use. Such transportation district shall also have full authority to
8 take or damage private property, in connection with the construction, extension,
9 maintenance or operation of any local transportation system, and such dis-
10 trict may condemn and take property in the manner provided by law for the
11 taking and condemning of private property for public uses.

Sec. 12. The board of trustees of each transportation district organized
2 under this Act may levy and collect taxes for corporate purposes upon prop-
3 erty within the territorial limits of such district, the aggregate amount of
4 which in any one year shall not exceed one per cent of the value of the taxable
5 property within the corporate limits of such district as the same shall be
6 assessed and equalized for county taxes for the year for which the levy is
7 made.

8 On or before the second Tuesday in August of each year said board shall
9 cause the amount to be raised by taxation in such year upon or from property
10 within such district to be certified to the county clerk of the county in which
11 the district lies. All taxes so levied upon property, and so certified to the
12 county clerk of such county, shall be collected and enforced in the same manner,
13 and by the same officers as state and county taxes, and shall be paid over by
14 the officer collecting same to the treasurer of such district in the manner and at
15 the time provided by the general revenue law of this state for the transmission
16 of collected taxes to other municipal corporations or their officers. Such tax
17 shall be in addition to all other taxes, and the county clerk of the county in
18 which such transportation district is located in reducing tax levies under the
19 provisions of an Act entitled "An Act concerning the levy and extension of
20 taxes" approved May 9, 1901, in force July 1, 1901, as amended, shall not in-
21 clude the tax for such transportation district in the limitations upon which
22 taxes are required to be extended, nor reduce such tax in making reduction
23 thereunder.

Sec. 13. Any transportation district organized under this Act may borrow
2 money for its corporate purposes, and may issue its bonds therefor, pledging
3 the faith and credit of the district, but shall not become indebted in any man-
4 ner or for any purpose to an amount in the aggregate exceeding five per
5 centum on the value of the taxable property therein, to be ascertained by the
6 last assessment for state and county taxes previous to the incurring of such
7 indebtedness. At the time of or before incurring any indebtedness the board
8 of trustees shall provide for the collection of a direct annual tax sufficient to
9 pay the interest on such debt as it falls due, and also to pay and discharge
10 the principal thereof as the same shall fall due within twenty years from the
11 time of contracting the same. Such tax shall be included within the limitation
12 of one per cent provided by section 12 of this Act.

13 No action of the board of trustees which provides for or authorizes the issue
14 of bonds under this section (except bonds to refund any existing bonded in-

15 indebtedness) shall become operative, effective or valid until such action shall
16 have been submitted to the duly qualified voters of such district at the next suc-
17 ceeding general or special election, or any special election called for that pur-
18 pose, and approved by a majority of such voters voting upon the question.
19 The question shall be submitted in substantially the manner provided by "An
20 Act requiring cities, villages and incorporated towns to submit certain ordi-
21 nances authorizing the issue of bonds, except to refund any existing bonded
22 indebtedness, to the voters of any such city, village or incorporated town,"
23 approved June 4, 1909, in force July 1, 1909, as amended.

Sec. 14. Any transportation district desiring to acquire by purchase from
2 any corporation owning the same, any transportation line or lines now or here-
3 after existing, together with any or all rights and property held or used by such
4 corporation in connection with such line or lines, may make such acquisition and
5 purchase, by means of its special bonds secured by mortgage, as hereinafter in
6 this section provided. At or before the time of such acquisition, such district
7 may execute and deliver its mortgage, or its trust deed in the nature of a mort-
8 gage to secure its special bonds to be issued thereunder, covering and convey-
9 ing any or all of the lines, property, and rights acquired or to be acquired from
10 such corporation, and, if deemed advisable, any or all additions, extensions, im-
11 provements, and betterments thereto which may be thereafter constructed or
12 made by such district out of moneys procured by means of any such special
13 bonds, and may at any time, or from time to time, issue and dispose of its
14 special bonds secured by such mortgage or trust deed, for the purpose of (1)
15 making payment for the property acquired by it from such corporation and
16 carrying out the terms of purchase; (2) paying, refunding or discharging in-
17 debtedness secured by lien upon any of the lines and property acquired by it
18 from such corporation, and subject to which indebtedness such lines and prop-
19 erty was acquired, and (3) providing additions, extensions, improvements and
20 betterments to such lines and property, including cars and other equipment or

21 property useful for the operation thereof. All such special bonds shall be
22 issued and disposed of subject to the provisions and restrictions of such
23 mortgage or trust deed, and they may bear such rate or rates of interest and be
24 made payable at such time or times and contain such terms and provisions not
25 inconsistent with this Act as the board of trustees of such district shall approve.
26 Such special bonds shall not represent or constitute an indebtedness of such
27 district, or an obligation to pay the interest or principal thereof out of monies
28 raised by taxation or by bonds issued under section 13 of this Act, but such
29 special bonds shall be payable in the manner provided by such mortgage or
30 trust deed out of the gross revenue, or some specified portion thereof, derived
31 and to be derived by such district from the use and operation of the lines and
32 property covered by such mortgage or trust deed. In and by such mortgage
33 or trust deed, such district may enter into such obligations, stipulations, cov-
34 enants, agreements or trusts as it may deem advisable for or concerning the
35 application of the gross revenue to be derived by it from the mortgaged prop-
36 erty to the payment of the principal and interest of the special bonds issued
37 thereunder and the principal and interest of any indebtedness secured by lien
38 upon the mortgaged property superior to the lien of such mortgage or trust
39 deed, and to the payment of other expenses for or incidental to the operation
40 and maintenance of such property. If any district shall acquire any property
41 through the issue of special bonds secured by mortgage or trust deed, as here-
42 inbefore authorized, or shall acquire by lease any transportation lines and
43 property now or hereafter existing, it shall have authority to contract with the
44 trustees under such mortgage or trust deed, or with the lessor in such lease, as
45 the case may be, as to the rates and charges to be collected and maintained by
46 the district during the life of such mortgage, trust deed or lease, for transpor-
47 tation on the transportation lines thereby covered; and any such mortgage, trust
48 deed or lease may contain such other terms, provisions, stipulations, conditions
49 and covenants not in conflict with the provisions of this Act as such district
50 shall deem necessary for the proper protection and security of the holders of

51 the special bonds or of the lessor, as the case may be, and shall be executed
52 in such manner as may be directed by the trustees of the district and acknowl-
53 edged and recorded in the manner provided by law for the acknowledgment and
54 recording of mortgages of real estate. The circuit court of any county in which
55 any transportation district shall lie, or any other court having general equity
56 powers and having jurisdiction over the territory comprised in such district,
57 shall have power and jurisdiction and it shall be its duty at the instance of the
58 trustee of any mortgage or trust deed given to secure special bonds of such
59 district, or at the instance of any holder or holders of such special bonds, to
60 prevent the trustees of such district from violating and to require such trus-
61 tees specifically to carry out and perform any or all of the duties, obligations
62 or covenants of such district under or contained in such mortgage or trust deed,
63 and shall have power and jurisdiction and the duty at the instance of the lessor
64 of any lease entered into by such district as lessee, to prevent the trustee of
65 such district from violating and to require such trustees specifically to carry out
66 and perform any or all of the obligations, covenants and duties of such district
67 under or contained in such lease.

68 In case this section or any special bonds, mortgage or trust deed issued or
69 proposed to be issued thereunder shall be found or held to be repugnant to the
70 Constitution, the result shall be that this section alone and such bonds, mortgage
71 or trust deed shall be declared unconstitutional and that the rest of this Act
72 shall not be affected in any way by such unconstitutionality.

Sec. 15. The board of trustees shall have power to submit with any pro-
2 posal for the issue of bonds under section 13 of this Act, or separately, either
3 at the same or any other election, any plan or plans for the acquisition, con-
4 struction or lease (or any combination thereof) of any local transportation sys-
5 tem or systems or any part of such plan or plans, or any question of policy, and
6 in case of such submission such plan or plans or policy may be rejected by a
7 majority of the duly qualified voters voting thereon. The rejection of the

8 whole or a part of a plan or policy shall not prevent the submission thereof or
9 of modifications thereof at a subsequent election.

10 Every plan or part thereof for the acquisition, construction or leasing (or
11 any combination thereof) of any local transportation system which shall not
12 have been approved by the voters under the above provisions, shall be em-
13 bodied in an ordinance, which shall contain a description thereof and an esti-
14 mate of the proposed cost. If such ordinance involves a proposed expenditure
15 of one million dollars or more, or a proposed lease for a period in excess
15½ of five years, such ordinance or a statement that such an ordinance has been
16 passed with an indication of the contents thereof, shall be published in one or
17 more newspapers of general circulation in such district within ten days after
18 its passage and shall not go into effect until sixty days after its passage. If
19 within such sixty days a petition shall be filed in the office of the secretary of
20 such district signed by three per cent of the duly qualified voters of such dis-
21 trict requesting that such ordinance be submitted to a popular vote, it shall be
22 the duty of said secretary within three days after such petition has been pre-
23 sented, to file the same, together with a certified copy of the ordinance, in the
24 office of the county judge of the county in which such transportation district is
25 located. Such county judge shall cause the question of whether or not such or-
26 dinance shall be approved to be submitted to the duly qualified voters of such
27 district at the first succeeding general or special election not less than thirty
28 days nor more than ninety days thereafter, or at a special election to be called
29 for that purpose. Any ordinance so submitted shall not go into effect unless
30 it is approved by a majority of the voters voting thereon at such general or
31 special election. The provisions of this paragraph shall also apply to all sales
32 of property by such district in excess of one million dollars and to all leases by
33 such district for a period in excess of five years.

Sec. 16. The fiscal year of each transportation district shall commence
2 on January 1, or at such other date as may be fixed by ordinance of the board

3 of trustees. Before the beginning of each fiscal year, the general manager
4 shall present to the board of trustees a detailed estimate of proposed expenses
5 for the succeeding fiscal year. The board of trustees shall before the end of
6 the first quarter of each fiscal year pass an ordinance to be termed the annual
7 appropriation ordinance, in which the board of trustees may appropriate such
8 sum or sums of money as may be deemed necessary to defray all necessary ex-
9 penses and liabilities of such district; and any such ordinance shall specify the
10 objects and purposes for which such appropriations are made and the amount
11 appropriated for each object or purpose. No further appropriations or change
12 in appropriations shall be made at any other time within such fiscal year unless
13 the proposition to make such further appropriations or change in appropria-
14 tions shall be approved by a vote of two-thirds of all members of the board of
15 trustees, after one week's notice that such proposed further appropriation or
16 such proposed change is to be voted upon.

17 Every ordinance making an appropriation shall within one month after it
18 is passed, be published at least once in a newspaper of general circulation pub-
19 lished in such district, or if no such newspaper be published therein, then by
20 posting copies of the same in three public places in the district, and no such or-
21 dinance shall take effect until ten days after it is so published.

22 No expenditures shall be made by the board of trustees or by any of the
23 officer or employees of such district, whether the object of the expenditure
24 shall have been ordered by the board of trustees or not, unless an appropriation
25 shall have previously been made covering such expenditure.

Sec. 17. All contracts for supplies or for construction work for such trans-
2 portation district, the expense of which will exceed one thousand dollars, shall
3 be let to the lowest responsible bidder therefor, upon not less than ten days'
4 public notice of the terms and conditions under which the contract is to be let
5 having been given by publication in a newspaper of general circulation pub-
6 lished in said district. The said board shall have the power and authority to re-
7 ject any and all bids and to re-advertise.

8 No trustee or officer or employee of such district shall be pecuniarily inter-
9 ested either directly or indirectly in any contract or lease of the district; in the
10 purchase of any article or property by the district; or in the sale of any article
11 or property by the district.

 Sec. 18. Each transportation district shall keep its accounts in such man-
2 ner as to show the true and complete financial results of the ownership and
3 operation of each district unit of its local transportation system. Such ac-
4 counts shall be kept as to show the actual cost to such transportation district of
5 the transportation system; all costs of maintenance, extension and improve-
6 ment; all operating expenses of every description, with respect to the parts of
7 such system operated by the transportation district; the amount set aside for
8 sinking fund purposes; if any services are furnished for the use of any or all of
9 such transportation systems without charge by any city, village, incorporated
10 town or other public or municipal corporation or by any person or corporation
11 without charge, the account shall show as nearly as possible the value of such
12 services, and also the value of any services rendered by such transportation dis-
13 trict to any city, village, incorporated town, or any other public or municipal
14 corporation or to any other person or corporation. Such accounts shall show
15 reasonable allowances for interest, depreciation and insurance. The board of
16 trustees shall cause to be printed annually for public distribution a report show-
17 ing the financial results in form as aforesaid of such ownership and operation
18 of a transportation system or systeme. The state commission having power to
19 prescribe accounts for public utilities shall have authority to specify the form
20 in which accounts shall be kept by any transportation district, and it shall be
21 the duty of the board of trustees to have the accounts of such district examined
22 at least once each year by a certified public acocuntant, to publish the report
23 of such examination, and to supply a copy thereof to any citizen of the district
24 upon request.

Sec. 19. All ordinances, orders, rules, resolutions and regulations of the
2 board of trustees shall take effect from and after their passage, unless other-
3 wise provided by this Act. All ordinances, orders, rules, resolutions and regu-
4 lations of such boards of trustees, and the date of publication thereof may be
5 proved by the certificate of the secretary, under the seal of the corporation;
6 and when printed in book or pamphlet form, and purporting to be published
7 by authority of the board of trustees, any such book or pamphlet shall be re-
8 ceived as evidence of the passage of such ordinance, orders, rules, resolutions
9 and regulations, as of the dates mentioned in such book or pamphlet, without
10 further proof.

Sec. 20. The property, both real and personal, of any transportation dis-
2 trict organized in accordance with the provisions of this Act shall be exempt
3 from taxation.

Sec. 21. Any territory which lies contiguous to a transportation district and
2 within the same county as such district, may become annexed thereto as herein-
3 provided, and when so annexed shall become a part thereof, and such annexed
4 territory shall be liable to taxation in like manner as though the same had
5 formed a part of said district at the time of the original creation thereof.

6 The legal voters of any such contiguous territory who may desire to have
7 the same annexed to any such district, shall file with the board of trustees of
8 such district a petition for such annexation signed by not less than three per
9 cent of the duly qualified voters of such contiguous territory. Upon the filing
10 of such petition such board of trustees shall have the authority to pass a resolu-
11 tion granting the prayer of such petition subject to the result of an election as
12 hereinafter provided. If such resolution shall be adopted, it shall be the duty
13 of said board of trustees to certify a copy thereof to the county judge of the
14 county in which such district is situated, who shall submit the question to the
15 duly qualified voters of such district, and to the duly qualified voters of the
16 territory seeking annexation, as to whether or not the said contiguous territory

17 shall be annexed to said district; and if such proposed annexation shall be ap-
18 proved by a majority vote of the duly qualified voters voting on such question at
19 the election in said contiguous territory, and by a majority vote of all the duly
20 qualified voters voting thereon at the election in said transportation district,
21 the said contiguous territory shall thereupon be annexed to and become a part
22 of said district for all purposes. The vote to determine the question of annex-
23 ation may be taken at any general or special election within said district.

Sec. 22. The board of trustees of any transportation district under this
2 Act shall have power to fix, alter, regulate and control the rates charged for
3 transportation over or upon such local transportation system or systems: *Pro-*
4 *vided*, that in no case shall the rate of fare exceed five cents for one person
5 for a continuous trip in the same general direction wholly within the limits of
6 such transportation district unless a different rate of fare shall first have been
7 authorized in the manner hereinafter provided.

8 In the event that the total receipts of any transportation district from the
9 operation of its system or systems of local transportation shall be insufficient
10 in the aggregate for five successive years to meet, pay and liquidate the total
11 amount required to pay its corporate expenses, interest on bonds and to pro-
12 vide for its sinking fund, and for the maintenance and operation, replacements
13 and renewals of its said system or systems of local transportation, it shall be
14 the duty of the board of trustees of such local transportation district to cause
15 to be prepared a statement of the amount of the difference for each of said five
16 years between the total receipts of said transportation district from the opera-
17 tion of its systems of local transportation and the total amount required to pay
18 its corporate expenses, interest on bonds and to provide for its sinking fund
19 and for the maintenance and operation, replacement and renewals of its said
20 system or systems of local transportation, together with an estimate of the
21 amount of increase in rates of fare necessary to be had in order to meet such
22 difference and after such statement and estimate have been prepared by them,

23 said board of trustees shall, under any then applicable law or laws of this state,
24 cause to be submitted to the duly qualified voters of said transportation district,
25 at the next election for members of said board of trustees, the question whether
26 said transportation district shall increase its rates of fare above those being
27 charged, to comply with the estimate made by said board of trustees or whether
28 the rates of fare then being charged shall be retained and the deficiencies shall
29 be met by taxation levied upon said transportation district. And each duly
30 qualified voter resident within said transportation district shall have the right
31 to vote at said election upon this question and the ballots so cast shall be re-
32 ceived, returned and canvassed in the same manner and by the same officers as
33 is hereinbefore provided in this Act and the election officials shall cause a state-
34 ment of the result of such election to be certified to the County Judge herein-
35 before designated.

36 If a majority of the voters voting upon such question shall vote in favor of
37 increasing the rates of fare to comply with the estimate made by said board of
38 trustees, the board of trustees of said district shall increase the rates of fare
39 accordingly as soon after said election as conveniently may be, which shall in
40 no event be later than one year after such election. If a majority of the voters
41 voting upon such question shall vote in favor of retaining the rates of fare be-
42 ing charged at the time of the submission of this question to the people, and
43 meeting such deficiencies by taxation levied upon said transportation district,
44 the board of trustees shall continue the rates of fare then being charged and
45 such deficiencies shall be met by taxation levied as in this Act provided upon
46 said transportation district.

47 In the event that the total receipts of any transportation district from the
48 operation of its system or systems of local transportation shall be more than
49 sufficient in the aggregate for a period of five years to meet, pay and liquidate
50 the total amount required to pay its corporate expenses, interest on bonds and
51 to provide for its sinking fund, and for the maintenance and operation, replace-
52 ments and renewals of its said system or systems of local transportation, it

53 shall be the duty of the board of trustees of said transportation district to cause
54 to be prepared a statement of the amount of the surplus for said five years from
55 the operation of its system or systems of local transportation above the total
56 amount required to pay its corporate expenses, interest on bonds and to pro-
57 vide for its sinking fund and for the maintenance and operation and replace-
58 ments and renewals of its said system or systems of local transportation, to-
59 gether with an estimate of the amount which said rates of fare may be de-
60 creased within the total receipts of said transportation district from the opera-
61 tion of its system or systems of local transportation, and after such statement
62 and estimate have been prepared by them, said board of trustees shall, under
63 any then applicable law or laws of this state, cause to be submitted to the duly
64 qualified voters of said transportation district at the next election for members
65 of said board of trustees the question whether the rates of fare then being
66 charged shall be retained or whether the rates of fare shall be reduced in ac-
67 cordance with the estimate so made by said board of trustees; and each duly
68 qualified voter resident within said transportation district shall have the right
69 to vote at said election upon this question and the ballots so cast shall be re-
70 ceived, returned and canvassed in the same manner and by the same officers as
71 hereinbefore provided in this Act and the election officials shall cause a state-
72 ment of the result of such election to be certified to the County Judge hereinbe-
73 fore designated.

74 If a majority of the voters voting upon such question shall vote in favor
75 of retaining the rates of fare being charged at the time of the submission of
76 this question to the People, the board of trustees shall continue to charge such
77 rates of fare then being charged. If a majority of the voters voting upon such
78 question shall vote in favor of reducing such rates of fare in accordance with
79 the estimate so made by said board of trustees, the board of trustees of said
80 district shall reduce the rates of fare as estimated as soon after said election
81 as conveniently may be, which shall in no event be later than one year after the
82 date of such election. But in any case where the trustees find that any rate of

83 fare less than five cents for one adult person for a continuance trip in the same
84 general direction is insufficient to meet all of the financial requirements of any
85 transportation district they may restore such five cent rate of fare without
86 referendum to the People.

Sec. 23. None of the powers conferred upon a transportation district
2 created under the provisions of this Act shall be subject to control or review
3 by any other governmental agency, now or hereafter existing under and by
4 virtue of the laws of this State.

Sec. 24. No person shall be incompetent as judge, justice or juror by
2 reason of his being an inhabitant or freeholder in any transportation district
3 formed under the provisions of this Act, in any action in which such trans-
4 portation district may be a party in interest.

Sec. 25. The board of trustees of any transportation district shall have
2 power to enforce all ordinances, orders, rules, resolutions and regulations with-
3 in its authority by penalties, but no fine or penalty shall exceed two hundred
4 dollars (\$200) and no imprisonment shall exceed six months, for any one
5 offense. Any officer or employee of such transportation district may be
6 vested by the board of trustees of such transportation district with police au-
7 thority to enforce the ordinances, orders, rules, resolutions and regulations of
8 such transportation district. When acting within the limits of any city, vil-
9 lage or incorporated town, the officers and employees of such transportation
10 district having police powers shall act in aid of the regular force of such city,
11 village or incorporated town, and shall be subject to the direction of its chief of
12 police or village marshal or other head thereof. All officers authorized by gen-
13 eral law to enforce the laws of this state or the municipal ordinances thereof
14 shall have authority to enforce ordinances, orders, rules, resolutions and reg-
15 ulations enacted by the board of trustees of such transportation district; and
16 all courts of competent jurisdiction within such territory shall have authority

17 to entertain either civil or criminal proceedings under or in the enforcement of
18 such ordinances, orders, rules, resolutions and regulations.

19 In all cases in which a penalty is not otherwise provided in this Act, any
20 person who violates or fails to comply with, or disobeys any of the provisions
21 of this Act, is guilty of a misdemeanor, and upon conviction shall be punished
22 by a fine not exceeding one thousand dollars (\$1,000) or by imprisonment in the
23 county jail not exceeding one year, or by both such fine and imprisonment.



1 Offered by Committee on Public Utilities, June 15, 1921.

2 Ordered printed.

AMENDMENT NO. 1

Amend printed House Bill No. 816 in Senate, on page 9, in Section 3, lines
2 134 and 135, by striking the words, "selected or as to which is entitled to the
3 longer term" and inserting in lieu thereof the word "elected."

AMENDMENT NO. 2.

Amend printed House Bill No. 816 in Senate, on page 15, in Section 10, line
2 1, by striking the "may" and inserting in lieu thereof the following words, "un-
3 less otherwise directly indicated by the context, shall be construed to."

AMENDMENT NO. 3.

Amend printed House Bill No. 816 in Senate, on page 15, in Section 10, line
2 7, by striking the words, "nothing in this Act shall be construed to apply to any
3 railroad now" and by striking all of lines 8 to 16, both inclusive, and by striking
4 the words, "the law to do so" in line 17.

AMENDMENT NO. 4.

Amend printed House Bill No. 816 in Senate, on page 15, in Section 10, line
2 7, by striking the period after the word "thereof" and inserting in lieu of said
3 period, the following:
4 "; but shall not be construed to include a commercial or trunk line railroad,
5 such as is now generally operated by steam."

AMENDMENT NO. 5.

Amend printed House Bill No. 816 in Senate on page 21, in section 14, by
 2 striking all of lines 68 to 72, both inclusive.

AMENDMENT NO. 6.

Amend printed House Bill No. 816 in Senate on page 26, 27, 28 and 29 by
 2 striking all of lines 1 to 86, both inclusive, of section 22, and in serting in lieu
 3 thereof, the following:

4 “Sec. 22. The board of trustees of any transportation district shall have
 5 authority to determine the rates of fare and charges to be charged upon any
 6 and all transportation systems owned, controlled or operated by such district.”

AMENDMENT NO. 7.

Amend printed House Bill No. 816 in Senate on page 22, in Section 15, by
 2 inserting after the word “more” in line 15 the following:
 3 “or the acquisition of property of the value of one million dollars or more,”

AMENDMENT NO. 8.

Amend printed House Bill No. 816 in Senate on page 20, in section 14, by
 2 striking all of line 43, after the word “existing” all of lines 44, 45 and 46, and
 3 all of line 47 to and including the word “any” and strike the word “other” in
 4 line 48.



1 Offered by Mr. Barr, June 17, 1921.

2 Ordered printed.

AMENDMENT NO. 9.

Amend printed House Bill No. 816 in Senate, on page 29, in Section 23,

2 line 4, by adding after the word "State" the following:

3 "However, no new lines shall be constructed by any transportation district
4 paralleling, within one-half mile, the now existing private right-of-way of any in-
5 terurban electric railway, or any line of any interurban electric railway now con-
6 structed and operated under a grant, license, or consent from a city, village, town
7 or county, along a street, alley, road or highway, without first obtaining from the
8 governmental agency, if any, having State-wide jurisdiction over public utili-
9 ties, permission for such construction."

Offered by Mr. Roos.

AMENDMENT NO. 10.

Amend printed House Bill No. 816, in Senate, on page 4, in Section 1, by

2 adding the following after line 81:

3 "Whenever such proposed transportation district includes territory within
4 the limits of two or more cities, villages or towns, the votes cast by electors
5 residing within the corporate limits of each city, village or town, shall be kept
6 separate from the votes cast by electors residing in the other cities, villages and
7 towns, and shall be counted separately. If a majority of the votes cast by the

8 electors within the limits of any city, village or town in such proposed transpor-
9 tation district are against the formation of such transportattion district, then
10 such city, village or town shall not be included in the district if it is established,
11 but only the cities, villages and towns, in which a majority of the votes cast by
12 the electors therein favored the formation of the transportation district shall
13 be included in the district.”

AMENDMENT NO. 11.

Amend printed House Bill No. 816 in Senate, on page 1, Section 1, lines 3
2 and 4, by striking out the words “such county or with.”



1 Introduced by Mr. Tice, May 18, 1921.

2 Read by title, ordered printed and referred to Committee on Roads and Bridges.

A BILL

For an Act to amend Sections 3, 4, 23 and 43 of the Motor Vehicle Law, approved June 30, 1919, in force January 1, 1920, and to add to said Act, Sections 7½ and 43½.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Sections 3, 4, 23 and 43 of the “Motor Vehicle Law,” approved June 30, 1919, in force January 1, 1920, are amended and Sections 7½ and 43½ are added to said Act, the amended and added sections to read as follows:

Sec. 3. The weights and dimensions of vehicles of either division mentioned in section 2 of this Act *when operated upon* highways other than upon improved highways built or maintained *wholly or partly by the State* shall be limited as follows, to-wit:

(1) The maximum gross *weight* to be permitted on *the road surface through any two wheels on the same axle* of any vehicle shall not exceed sixteen thousand pounds, *nor shall it exceed eight hundred pounds per inch of*

8 *width of tire upon such wheels. Provided, further, that the gross weight, in-*
 9 *cluding the weight of the vehicle and maximum load of any self-propelled*
 10 *vehicle shall not exceed twenty-four thousand pounds; and the gross weight,*
 11 *including the weight of the vehicle and maximum load, of any trailer or semi-*
 12 *trailer vehicle pulled or towed by a motor vehicle shall not exceed thirty-two*
 13 *thousand pounds.*

14 (2) Weight limits 50 per cent above those provided for herein may be
 15 permitted by ordinance in cities having a population of more than 20,000, but
 16 such increase shall not apply to vehicles when outside the limits of such a city.

17 (3) The maximum width of any vehicle and its load shall not exceed 8
 18 feet, excepting loads of loose hay, straw, corn fodder, or other similar farm
 19 products.

20 (4) Upon the filing in the office of the Secretary of State of an applica-
 21 tion for the first registration of vehicles described in the second division of
 22 section 2 of this Act, and the payment of the registration fee hereinafter pro-
 23 vided, the Secretary of State, or his duly authorized agent, shall issue to such
 24 applicant in addition to the regular number plate, a metal plate which shall not
 25 be less than four inches long and two inches wide, upon which shall be im-
 26 pressed, with a metal die, the weight in pounds of such vehicle and maximum
 27 load, in conformity with and as provided by this Act, which metal plate afore-
 28 said shall be attached to said vehicle in a conspicuous place and at all times
 29 carried thereupon.

30 (5) Where trailers are used the length of any vehicle, or vehicles, com-
 31 bined with their trailers, shall not exceed 65 feet; provided, that upon appli-
 32 cation to the highway or street officials having proper jurisdiction over a par-
 33 ticular highway special permits in writing may be granted for the operation of
 34 trains of trailers exceeding in length the foregoing, subject to such conditions
 35 as such highway or street officials may prescribe.

36 *The Department of Public Works and Buildings shall prescribe maximum*
 37 *weights and dimensions for motor vehicles of the second division when operated*

38 *or driven upon improved highways built or maintained wholly or partly by the*
39 *State. These weights and dimensions shall be general and uniform upon such*
40 *highways throughout the State.*

Sec. 4. After the passage and approval of this Act, no metal tired vehicle,
2 including tractors, *motor trucks*, traction engines and other similar vehicles,
3 shall be operated over any improved public highways of this State, if such
4 vehicle has on the periphery of any of the road wheels any block, stud, flange,
5 cleat, ridge, bolt, lug, or any projection of metal or wood which projects radi-
6 cally beyond the tread or traffic surface of the tire; except that this prohibition
7 shall not apply to tractors or traction engines equipped with what is known as
8 caterpillar tractors, when such caterpillar does not contain any projections of
9 any kind likely to injure the surface of the road.

Sec. 7½. *No motor vehicle licensed to carry 15,000 pounds or over laden*
2 *in bulk shall be operated upon the improved highways of the State unless there*
3 *shall be carried by the operator or driver thereof a way-bill, bill-of-lading, de-*
4 *livery ticket or other similar document certifying to the gross, tare and net*
5 *weights of such vehicle and load; and it shall be the duty of the said driver or*
6 *operator of such vehicle to display such certificates upon demand to any police*
7 *officer, constable or other official charged with the enforcement of the provisions*
8 *of this Act.*

Sec. 23. The speed of all vehicles of said second division as described in
2 section 2 of this Act, shall always be reasonable and safe and, *when operated*
3 *upon highways other than upon improved highways built or maintained wholly*
4 *or partly by the State, shall be governed, as near as may be, by the general*
5 *requirements of section 22 of this Act, but such speed shall not exceed the*
6 *following rates, to-wit:*

7 (1) Vehicles having a gross weight of five thousand (5,000) pounds and
8 less, including the weight of the vehicle and maximum load, if equipped with

9 pneumatic tires, 25 miles per hour; if equipped with two or more solid rubber
10 tires, 20 miles per hour.

11 (2) Vehicles having a gross weight of more than five thousand (5,000)
12 pounds and not more than twelve thousand (12,000) pounds, including the
13 weight of the vehicle and maximum load, if equipped with pneumatic tires, 20
14 miles per hour; if equipped with solid rubber tires, 15 miles per hour.

15 (3) Vehicles having a gross weight of more than twelve thousand (12,000)
16 pounds and not more than fifteen thousand (15,000) pounds, including the
17 weight of the vehicle and maximum load, if equipped with pneumatic tires, 15
18 miles per hour; if equipped with solid rubber tires, 12 miles per hour.

19 (4) Vehicles having a gross weight of more than fifteen thousand (15,000)
20 pounds, including the weight of the vehicle and maximum load, 12 miles per hour.

21 *The Department of Public Works and Buildings shall prescribe maximum*
22 *speeds for motor vehicles of the second division when operated or driven upon*
23 *improved highways built or maintained wholly or partly by the State. The*
24 *speeds prescribed shall be general and uniform upon these highways through-*
25 *out the State.*

Sec. 43. Any person wilfully violating the provisions of this Act shall, ex-
2 cept as otherwise provided herein, upon conviction, be fined in a sum not to
3 exceed the amount hereinafter set forth.

4 For the violation of sections 8, 14, 16, 17, 18, 19, 20, 21, 27, 28 and 40, or
5 any of them, twenty-five dollars.

6 For a violation of section 22, two hundred dollars (\$200.00).

7 For the violation of any section or provision for which no specific penalty
8 is provided, one hundred dollars (\$100.00).

9 *For a violation of the regulations prescribed by the Department of Public*
10 *Works and Buildings as to maximum weights and dimensions as provided in*
11 *section 3 or the regulations prescribed by the department as to maximum*
12 *speeds as provided in section 23, one hundred dollars (\$100.00).*

13 *Provided*, that any offender who shall have been found guilty of a violation
14 of any section of this Act and fined therefor, and who shall thereafter be con-
15 victed of a second violation of such section, may be fined in a sum not exceeding
16 double the penalty herein provided for a first offense, and in addition thereto
17 may have his certificate or license issued by the Secretary of State revoked
18 for a period not exceeding three months, and for a third or subsequent viola-
19 tion of the same section of this Act the certificate or license may, in addition
20 to the fine provided for the second offense, be revoked for a period not exceed-
21 ing six months. Any person whose license shall have been revoked for a viola-
22 tion of any of the provisions of this Act and who shall drive or operate a
23 motor vehicle or motor bicycle within the State of Illinois during the period
24 for which his said license shall have been revoked, or any person who, having
25 once been convicted of a failure to comply with the provisions of this Act re-
26 quiring a registration of motor vehicles or motor bicycles or the examination
27 and licensing of chauffeurs shall fail or refuse to comply with said provisions,
28 shall be deemed guilty of a misdemeanor and on conviction may be fined in a
29 sum not to exceed two hundred dollars, or imprisoned in the county jail for a
30 period not exceeding thirty (30) days, or both, in the discretion of the court.
31 All fines imposed for violation of any of the provisions of this Act shall be
32 paid to the treasurer of the highway commissioners of the township or road
33 district in which the offense is committed by the justice of the peace, clerk of
34 the court, or other officer to whom the amount of such fines shall be by law
35 required to be paid by the constable, bailiff, sheriff, or other officer named in
36 any execution, issued for the collection of the same, and all money so received
37 by the treasurer of the highway commissioners, shall be used in repairing and
38 improving the roads within such township or road district. And it shall be the
39 duty of the Department of Public Works and Buildings, Chief Highway Engi-
40 neer, county superintendents of highways and commissioners of highways to
41 seasonably prosecute for all fines and penalties under this Act: *Provided, how-*
42 *ever*, that whenever any such violation shall occur within the limits of any city,

43 village or incorporated town, or within the jurisdiction of any board of park
 44 commissioners, wherein no commissioners of highways exist or have jurisdiction,
 45 in such case all fines imposed for the violation of any of the provisions of this
 46 Act shall be paid to the treasurer of such city, village or incorporated town
 47 or to the park commissioners within whose jurisdiction the offense is committed,
 48 by the justices of the peace, clerk of the court, or other officer to whom the
 49 amount of such fines shall be by law required to be paid by the constable,
 50 bailiff, sheriff, or other officer named in any execution issued for the collection
 51 of the same, and all money so received by the treasurer of such city, village or
 52 incorporated town, or park commissioners, shall be used in repairing and im-
 53 proving the roads or streets, within such city, village, incorporated town or
 54 park; and in such cases it shall be the duty of the police officers and officials
 55 of cities, villages, incorporated towns and parks to prosecute for all fines and
 56 penalties under this Act. The Secretary of State, for the purpose of more
 57 effectively carrying out the provisions of this Act, is hereby authorized and
 58 empowered to appoint special representatives to act as automobile and motor
 59 bicycle investigators, in such numbers and for such localities as he may deem
 60 advisable, said investigators to serve without compensation.

Sec. 43½. *The Department of Public Works and Buildings is authorized*
 2 *to appoint a sufficient number of State highway patrol officers to enforce the*
 3 *provisions of the "Motor Vehicle Law." It shall be the duty of such officers*
 4 *to patrol the public highways and to make arrests for violations of any of the*
 5 *provisions of this Act. In the exercise of these duties, the State highway patrol*
 6 *officers shall have all the powers of peace officers. The State highway police*
 7 *officers may be equipped with standardized and tested devices for weighing*
 8 *motor vehicles and may stop and weigh or cause to be weighed any motor vehicle*
 9 *which appears to weigh in excess of the amounts permitted by this Act.*



1 Adopted June 8, 1921.

AMENDMENT NO. 1.

Amend the title to House Bill No. 817 so that it shall read as follows: "For
2 an Act to amend Sections 3 and 4 of the Motor Vehicle Law, approved June 30,
3 1919, in force January 1, 1920, and to add to said Act Section 43½."

AMENDMENT NO. 2.

Amend House Bill No. 817, by striking out lines 2, 3, 4 and 5 of Section 1
2 after the enacting clause and insert in lieu thereof the following: "Sections
3 3 and 4 of the "Motor Vehicle Law," approved June 30, 1919, in force January
4 1, 1920, are amended and Section 43½ is added to said Act, the amended and
5 added sections to read as follows:

AMENDMENT NO. 3.

Amend House Bill No. 817 by striking out all of lines 1, 2, 3 and 4, Section
3 3 page 1, of the printed bill.

AMENDMENT NO. 4.

Amend House Bill No. 817 by striking out of Section 3 on pages 2 and 3 of
2 the printed bill, all of lines 36, 37, 38, 39 and 40.

AMENDMENT NO. 5.

Amend House Bill No. 817 by striking out all of Sections 7½, 23 and 43 on
2 pages 3, 4, 5 and 6 of the printed bill.

AMENDMENT NO. 7.

Amend House Bill No. 817 by striking out Section 43½ of the printed bill
2 and by inserting in lieu thereof the following:

“Sec. 43½. The Department of Public Works and Buildings is authorized
2 to appoint a sufficient number of State Highway Patrol Officers to enforce
3 the provisions of the ‘Motor Vehicle Law.’ It shall be the duty of such officers
4 to patrol the public highways and to make arrests for violations of the pro-
5 visions of this Act. In the exercise of these duties, but only in so far, and for
6 no other purpose, the State Highway Patrol Officers shall have the same power
7 and authority that peace officers have; it not being the intention of this Act to
8 invest said State Highway Patrol Officers with any power or authority as offi-
9 cers of the law other than as above expressly provided. The State Highway Pa-
10 trol Officers may be equipped with standardized and tested devices for weigh-
11 ing motor vehicles and may stop and weigh, acting reasonably, or cause to be
12 weighed, any motor vehicle which appears to weigh in excess of the amounts per-
13 mitted by this Act.”



1 Introduced by Mr. Holaday, May 19, 1921.

2 Read at large a first time, ordered printed, and to a second reading.

A BILL

For an Act to provide for the publication of the general statutes of Illinois together
with all amendments.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Immediately after the close of the pres-
3 ent regular session of the General Assembly there shall be compiled and printed
4 the general statutes of the State of Illinois, including all amendments thereto
5 up to and including all laws and amendments enacted by the Fifty-second Gen-
6 eral Assembly.

Sec. 2. The firm of Burdette J. Smith and Company is hereby authorized
2 to make such compilation and publication, together with a full and complete
3 index of the same at its own expense. Upon the completion of the compilation
4 and printing, it shall be submitted to the Attorney General for his approval.

Sec. 3. At the time of the submission of the printed compilation to the
2 Attorney General, the publisher shall file with the secretary of State a bond in

3 the sum of \$2,500 with sureties approved by the Secretary of State, condi-
4 tioned for the delivery to the Secretary of State of the number of copies spec-
5 ified in Section 4, after the printed compilation has been approved by the Attor-
6 ney General.

Sec. 4. When the compiled statutes are approved by the Attorney General
2 he shall so notify the publisher, and the Secretary of State and it shall there-
3 upon be the duty of the publisher to furnish to the Secretary of State, without
4 charge or expense to the State, a sufficient number of copies to supply one copy
5 to each elective State officer, the Judges of the Supreme Court and each mem-
6 ber of the General Assembly.



- 1 Introduced by Mr. Hopp, May 19, 1921.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

WHEREAS, Isaac N. Adrian, former property and economy officer of the
2 State Board of Administration, of the charitable and other kindred institutions,
3 while serving in that capacity in an inspection of the State Hospital at Jack-
4 sonville on August 14, 1914, and while in the discharge of his duties as such
5 officer, was injured by reason of the team of horses hitched to the wagon in
6 which he was riding, being the property of the State of Illinois, becoming
7 frightened and running away; that said injury consisted in the breaking of his
8 left ankle bones; and he also sustained a "Potts fracture" and fracture of the
9 lower part of the fibula and was confined to a hospital and to his home until
10 about December 1, 1914; that in addition to the physical injuries said Adrian
11 has become broken in health, and is now under a physician's care, and is seri-
12 ously and permanently injured. Therefore the said Isaac N. Adrian should be
13 relieved of his injuries by the State of Illinois; in accordance with the decision
14 and recommendation of the Court of Claims of the State of Illinois, made by
15 that Tribunal after a full hearing therein on said claim.

A BILL

For an Act making appropriations for the relief of Isaac N. Adrian.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That the Aditor of Public Accounts, be
3 and he is hereby directed to draw his warrant on the State Treasurer in favor
4 of Isaac N. Adrian, for the sum of three thousand dollars (\$3,000.00), the said
5 sum to be paid out of any money's in the said State Treasury not otherwise
6 appropriated, the same to be in full for all injuries and damages suffered by
7 the said Isaac N. Adrian while holding the position of property and economy
8 officer of the State Board of Administration, of the charitable and kindred in-
9 stitutions of the State of Illinois.

1 Introduced by Mr. Maher, May 19, 1921.

2 Read by title, ordered printed, and referred to Committee on Municipalities.

A BILL

For an Act prohibiting advertising to cure sexual diseases, cancer and tuberculosis.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Whoever shall advertise in any news-
3 paper, publication, magazine, periodical, pamphlet or by circular or form letter,
4 or cause to be distributed any advertisement in any form whatsoever to restore
5 manly vigor, treat or cure lost manhood, stricture, varicocele, hydrocele, dis-
6 eases of genito urinary organs, or any venereal diseases, or to cure cancer or
7 tuberculosis, shall be deemed guilty of a misdemeanor, and upon conviction
8 thereof shall be punished by a fine not exceeding one hundred dollars or by
9 imprisonment not less than month nor more than six months, or both.

Sec. 2. Any owner or managing officer of any newspaper, publication, maga-
2 zine, or periodical in whose paper shall be printed or published such advertise-
3 ment as is described in this Act shall be guilty of a misdemeanor, and upon con-
4 viction thereof shall be punished by a fine not exceeding one hundred dollars or
5 by imprisonment not less than one month nor more than six months, or both.

Sec. 3. A justice of the peace, police judge, or judge of a municipal court
2 shall have jurisdiction within his county in a prosecution for a violation of any
3 provision of this Act.



- 1 Introduced by Mr. G. J. Johnson, May 19, 1921.
- 2 Read by title, ordered printed, and referred to Committee on Judiciary.

A BILL

For an Act to amend Section 6 of "An Act to revise the law in relation to clerks of courts," approved March 25, 1874, in force July 1, 1874, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 6 of "An Act to revise the law in
3 relation to clerks of courts," approved March 25, 1874, in force July 1, 1874, as
4 amended, is amended to read as follows:

Sec. 6. The clerks of the circuit courts, and of the superior and criminal
2 courts of Cook county, and the clerks of the county and probate courts shall keep
3 their offices at the court house of their respective counties, and shall keep their
4 offices open and attend to the duties thereof from 8 o'clock a. m. to 5 o'clock
5 p. m. of each working day, except *Saturday afternoons* and legal holidays: *Pro-*
6 *vided*, that in counties of seventy thousand population or over the clerks of the
7 courts herein named shall keep their offices open and attend to the duties
8 thereof during such hours on each day, and on such days as may be ordered by
9 the rule of the court in such county, which rule may be changed from time to
10 time as the judge or judges of said court may see fit.



- 1 Introduced by Mr. G. J. Johnson, May 19, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Section 9 of "An Act to revise the law in relation to recorders," approved March 9, 1874, in force July 1, 1874, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 9 of "An Act to revise the law
3 in relation to recorders," approved March 9, 1874, in force July 1, 1874, as
4 amended, is amended, to read as follows:

Sec. 9. Every recorder shall, as soon as practicable after the filing of
2 any instrument in writing in his office, entitled to be recorded, record the same
3 at length, in the order of time of its reception, in well bound books to be pro-
4 vided for that purpose: *Provided*, that separate books may be kept for the
5 recording of different classes of instruments.

6 Certificates of discharge of honorably discharged members of the military,
7 aviation and naval forces of the United States shall be recorded by each recor-
8 der, free of charge, in a separate book which shall be kept for the purpose.

9 Every recorder shall keep his office at the court house of the county for
10 which he is recorder, or in a suitable building provided by the county for which
11 he is recorder, and shall keep his office open and attend to the duties thereof
12 from eight o'clock in the forenoon to five o'clock in the afternoon of each work-
13 ing day, *excepting Saturday afternoons* and excepting such days and half days
14 as under any law are or may be legal holidays or half holidays, in any part of
15 his said county, as regards the presenting for payments, acceptance, maturity,
16 protesting, or giving notice of the dishonor of bills of exchange, bank checks,
17 promissory notes, or other negotiable or commercial paper or instruments,
18 *provided, however,* that in counties of five hundred thousand population or over
19 the filing of instruments in writing for record on each day that said office is
20 open shall be between the hours of eight o'clock in the forenoon to four o'clock
21 in the afternoon on full working days and between the hours of eight o'clock
22 and twelve o'clock in the forenoon on Saturday of each week, and *provided,*
23 *further,* that said special provision for the time of filing of instruments in
24 writing for record shall not apply to the time for keeping said office open for
25 other purposes.

26 Where any daylight saving ordinance or statute is in effect at the county
27 seat in which the recorder's office is situated, the time for opening and closing
28 of said office, and for filing instruments for record, shall conform with said day-
29 light saving ordinance or statute.

30 The recorder of deeds elected as provided for in this Act shall receive
31 such fees as are or may be provided for him by law, in case of provision there-
32 fore; otherwise he shall receive the same fees as are or may be provided by law
33 to be paid to the circuit clerk and *ex-officio* recorder for like services.



- 1 Introduced by Mr. Flagg, May 19, 1921.
- 2 Read by title, ordered printed, and referred to Committee on Judiciary.

A BILL

For an Act to amend Section 2 of "An Act concerning jurors, and to repeal certain Acts therein named," approved and in force February 11, 1874, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 2 of "An Act concerning jurors,
3 and to repeal certain Acts therein named," approved and in force February 11,
4 1874, as amended, is amended to read as follows:

Sec. 2. PETIT JURORS FOR THE YEAR—THEIR QUALIFICATIONS.] At the meeting
2 of the County Board, in the respective counties in this State, containing a popu-
3 lation of not more than 250,000, in September, in the year 1874, and in each year
4 thereafter, such board shall select from such list a number of persons equal to
5 one hundred (100) for each trial term of the Circuit and other courts of record,
6 except County Courts, which may be provided by law, to be held during the suc-
7 ceeding year, to serve as petit jurors. In counties having a population of more
8 than 250,000, the persons to serve as petit jurors shall be selected by the Jury
9 Commissioners, as provided by law: *Provided*, that the persons selected to serve

10 as jurors in courts of record having jurisdiction only in and for cities shall be
11 selected from the body of the county in the same manner as jurors are selected
12 for the Circuit Court. Jurors in all counties in Illinois must have the legal quali-
13 fications herein prescribed, and shall be chosen a proportionate number from the
14 residents of each town, or precinct, and such persons only as are:

15 First. Inhabitants of the town or precinct, *for at least one year next preced-*
16 *ing their selection on the petit jury list*, not exempt from serving on juries.

17 Second. Of the age of twenty-one (21) years, or upwards, and under sixty-
18 five (65) years old.

19 Third. In the possession of their natural faculties, and not infirm or
20 decrepit.

21 Fourth. Free from all legal exceptions, of fair character, of approved
22 integrity, of sound judgment, well informed, and who understands the English
23 language.



- 1 Introduced by Committee on Appropriations, May 23, 1921. Substitute for House
Bill No. 536.
- 2 Read at large a first time, ordered printed, and to a second reading.

A BILL

For an Act to amend "An Act in relation to the payment of the public money of the State into the State Treasury," approved June 9, 1911, in force July 1, 1911.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly: "An Act in relation to the payment of*
3 *public money of the State into the State treasury," approved June 9, 1911, in*
4 *force July 1, 1911, is amended to read as follows:*

Sec. 1. *It is the duty of every officer, board, commission, commissioner,*
2 *department and institution of the State of Illinois who receives money for and*
3 *on behalf of the State, to keep in proper books in form prescribed by the*
4 *Auditor of Public Accounts a detailed itemized account of all moneys so received*
5 *showing the date of receipt, by whom paid and amount of payment, and the date*
6 *and manner of disbursement as hereinafter provided, and to pay into the State*
7 *treasury the gross amount of money so received not later than thirty days*
8 *after the receipt of same without any deduction on account of salaries, fees,*
9 *costs, charges, expenses or claims of any description whatever. No such money*

10 *belonging to or for the use of the State shall be expended or applied except in*
 11 *consequence of an appropriation made by law and upon the warrant of the*
 12 *Auditor of Public Accounts. Every such officer, board, commission, commis-*
 13 *sioner, department or institution receiving money as aforesaid shall, on or*
 14 *before the second Wednesday of January, April, July, and October of each*
 15 *year file in the office of the Auditor of Public Accounts a detailed balanced*
 16 *statement in form prescribed by the Auditor of Public Accounts of such re-*
 17 *ceipts for the preceding fiscal quarter showing dates of remittances verified by*
 18 *the oath or affirmation of the officer or employee making and filing such state-*
 19 *ment. All moneys so paid into the State treasury shall, unless required by*
 20 *some statute to be held in the State treasury in a separate or special fund, be*
 21 *covered into the General Revenue Fund in the State treasury.*

22 *However, the provisions of this section do not apply to the University of*
 23 *Illinois or to any officers, boards, commissions, commissioners, departments or*
 24 *institution whose duty to receive money for and on behalf of the State and*
 25 *account for the same is otherwise specially provided for by law.*

Sec. 2. *It is the duty of every officer, board, commission, commissioner,*
 2 *department and institution of the State of Illinois to deposit with the State*
 3 *Treasurer any money now held or hereafter received for or on behalf of the*
 4 *State under protest, together with a statement showing the date and amount*
 5 *of payment, by whom paid and a short statement of the nature of the ground*
 6 *upon which such payment is protested. The State Treasurer shall be ex-officio*
 7 *treasurer of such moneys which shall not become part of the funds of the*
 8 *State of Illinois except as hereinafter provided. The State Treasurer shall pay*
 9 *such moneys to the person or persons entitled to the same or into the State*
 10 *Treasury upon the order of the officer who received such moneys under pro-*
 11 *test, or his successor. If no such order is received by the State Treasurer, he*
 12 *shall at the expiration of one year from the time of the receipt of said moneys*
 13 *turn the same into the proper fund in the State Treasury. Such payment*
 14 *into the State Treasury shall not limit in any manner the right of the person*

15 *paying under protest to present his claim to the Court of Claims nor prevent*
16 *the General Assembly from appropriating money to pay the claims. All such*
17 *money shall be received by the State Treasurer and paid out by him upon*
18 *order of the Auditor of Public Accounts and the Auditor of Public Accounts*
19 *shall keep an account of all such moneys received, disbursed and turned into the*
20 *State Treasury as herein provided.*

Sec. 3. The Auditor of Public Accounts shall, at all times, have the right
2 to examine all the books, documents, memoranda, files, papers, and records of
3 any officer, board, commission, commissioner, department or institution, receiv-
4 ing money as aforesaid, to verify the accuracy of the account required by this
5 Act to be kept.

Sec. 4. Any officer named herein, or any officer, employee or servant of
2 any board, commission, commissioner, department or institution receiving money
3 as aforesaid, who willfully *fails* or *neglects* to keep a detailed itemized account
4 of all moneys received, as required by this Act, or who *makes* a false or fraudu-
5 lent entry of the same, or who *refuses* to permit the Auditor of Public Ac-
6 counts to have free and unrestricted access to the books, documents, memo-
7 randa, papers, files and records in his custody or possession, or who willfully
8 *fails, neglects*, or refuses to file with the Auditor of Public Accounts the state-
9 ment required by this Act, *is* guilty of a misdemeanor and shall be punished by
10 a fine in any sum not exceeding one thousand dollars, or by imprisonment not
11 exceeding one year, or by both such fine and imprisonment.



- 1 Introduced by Committee on Appropriations, May 23, 1921.
- 2 Substitute for House Bill No. 787.
- 3 Read at large a first time, ordered printed and to a second reading.

A BILL

For an Act to amend Section 1 of "An Act to provide for and fix the compensation of the members of the General Assembly of the State of Illinois," approved December 6, 1907, in force July 1, 1908, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That Section 1 of "An Act to provide
3 for and fix the compensation of the members of the General Assembly of the
4 State of Illinois," approved December 6, 1907, in force July 1, 1908, as amended,
5 **be, and hereby is, amended to read as follows:**

Sec. 1. That each and every member of the General Assembly elected in
2 the year 1922 and hereafter elected, shall receive for the period for which mem-
3 bers of the House of Representatives of the General Assembly are elected, the
4 sum of three thousand five hundred dollars (\$3,500.00), payable during the first
5 regular session of the General Assembly, held after the general election for
6 members of the House of Representatives, and actual cost of railway transpor-

7 tation at the regular rate charged therefor for the number of miles necessarily
8 traveled by such member in each and every trip during each session in going
9 to and returning from the seat of government, to be computed by the Auditor
10 of Public Accounts: *Provided*, that the number of such trips shall not exceed
11 one for each week the General Assembly is actually in session; and each mem-
12 ber shall receive the sum of fifty dollars (\$50.00) per session, which shall be in
13 full for stationery, newspapers, postage and all other incidental expenses.



- 1 Introduced by Mr. Arthur Roe, May 24, 1921.
- 2 Read by title, ordered printed, and referred to Committee on Farm Drainage.

A BILL

For an Act to amend an Act entitled, “An Act to amend an Act to provide for the construction, reparation and protection of drains, ditches and levees across the lands of others for agricultural, sanitary and mining purposes, and to provide for the organization of drainage districts,” approved and in force May 29, 1879; as amended by an Act approved June 30, 1885, in force July 1, 1885; as amended by an Act approved June 4, 1889, in force July 1, 1889; as amended by an Act approved June 24, 1895, in force July 1, 1895; as amended by an Act approved May 10, 1901, in force July 1, 1901; as amended by an Act approved May 14, 1903, in force July 1, 1903; as amended by an Act approved and in force May 29, 1909; as amended by an Act approved and in force June 27, 1913; as amended by an Act approved June 28, 1915, in force July 1, 1915, by adding thereto a section to be numbered “Section 65a,” approved June 11, 1917, in force July 1, 1917, by amending Section 1 thereof and declaring valid prior proceedings thereunder.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That an Act entitled, “An Act to provide

3 for the construction, reparation and protection of drains, ditches and levees
 4 across the lands of others for agricultural, sanitary and mining purposes, and to
 5 provide for the organization of drainage districts," approved and in force May
 6 29, 1879; as amended by an Act approved June 30, 1885, in force July 1, 1885;
 7 as amended by an Act approved June 4, 1889, in force July 1, 1889; as amended
 8 by an Act approved June 24, 1895, in force July 1, 1895; as amended by an Act
 9 approved May 10, 1901, in force July 1, 1901; as amended by an Act approved
 10 May 14, 1903, in force July 1, 1903; as amended by an Act approved and in force
 11 May 29, 1909; as amended by an Act approved and in force June 27, 1913; as
 12 amended by an Act approved June 28, 1915, in force July 1, 1915, be and the
 13 same is hereby amended by inserting in and adding to said Act two sections to be
 14 numbered Section 65a and Section 65b and which section shall read as follows:

Sec. 65a. When any river or other stream or watercourse in this State con-
 2 stitutes the common outlet for two or more drainage districts heretofore or
 3 hereafter organized under any of the laws of this State, and also constitutes the
 4 outlet for the drainage of lands not organized into a drainage district, and when
 5 it will be a benefit to the lands included in said drainage districts and to said
 6 lands not so included but having said river or watercourse as the outlet for
 7 drainage, for agricultural or sanitary purposes, that said river, watercourse or
 8 other stream or any portion thereof constituting such common outlet be deepened,
 9 widened or otherwise improved or that the channel thereof be changed or
 10 straightened, an outlet drainage district may be organized in the manner pro-
 11 vided in this Act for the organization of drainage districts, and all lands bene-
 12 fited by so deepening, widening or otherwise improving or by changing or
 13 straightening the channel of such river or watercourse may be included within
 14 the boundaries of such outlet drainage district, and it shall not constitute any
 15 objection to the inclusion of any lands in such outlet drainage district that said
 16 lands had been theretofore included in a drainage district organized under the
 17 general provisions of this Act, or under any other law of this State *and it shall*
 18 *not constitute any objection to the inclusion of any lands in a drainage district*

19 *to be organized under the general provisions of this Act, or under any other law*
20 *of this State that said lands had been theretofore included in an outlet drainage*
21 *district. That commissioners of such outlet drainage district may be appointed*
22 *at the time and in the manner and with the qualifications provided in this Act for*
23 *the appointment of commissioners of drainage districts, and except as herein*
24 *limited with like powers and duties: And, provided, further, that special assess-*
25 *ments may be levied on the lands or other property included in said outlet district,*
26 *and which will be benefited by the improvements or other work proposed in said*
27 *outlet district in the same manner as assessments for benefits are provided in*
28 *levee and drainage districts organized under this Act, to pay the costs of con-*
29 *structing such improvements or other work, together with the cost of all pro-*
30 *ceedings therefor. But neither said outlet drainage district nor its commission-*
31 *ers or officers shall have any right to make any assessments against any of the*
32 *lands included in said outlet drainage district for any purpose except to deepen,*
33 *or widen or otherwise improve the channel of said river or watercourse so con-*
34 *stituting an outlet for the drainage of the lands included in said outlet drainage*
35 *district or to change or straighten the channel thereof, nor to construct any*
36 *other drainage work except to deepen, widen, or otherwise improve the channel*
37 *of such river or watercourse or to change or straighten the channel thereof:*
38 *And, provided, further, that insofar as may be, except as herein limited and*
39 *restricted, all the provisions of this Act with reference to drainage districts*
40 *organized thereunder shall apply to an outlet drainage district so organized*
41 *under this section: And, provided, further, that when it becomes necessary said*
42 *outlet drainage district may acquire lands for right of way for any improvement*
43 *constructed by it in the same manner as drainage and levee districts organized*
44 *under this Act may acquire right of way and may so acquire said right of way*
45 *either within or without the boundaries of any organized drainage district there-*
46 *tofore organized: And, provided, further, that no outlet drainage district*
47 *organized under this section shall remove, destroy, appropriate or use any levee,*
48 *drain, ditch or part thereof, or other work of any drainage district organized*

49 under any laws of this State without paying such drainage district just compensa-
50 tion therefor. In case the commissioners of said outlet drainage district and the
51 corporate authorities of any such drainage district shall be unable to agree upon
52 the compensation to be paid to such drainage district, the same may be ascer-
53 tained and enforced by any proper proceedings in any court of competent juris-
54 diction. Upon payment of such compensation, said outlet district shall have the
55 right to appropriate such levees, ditches, drainage or other work within the
56 boundary of such outlet district for and in connection with the purposes for
57 which said outlet district is organized.

Sec. 65b. *Whereas, since the enactment of the Act of which this is an*
2 *amendment certain petitions have been prepared, signed, filed, and presented to*
3 *certain courts and certain proceedings had and court orders entered with the*
4 *view of organizing outlet drainage districts; and, whereas, in the title of the orig-*
5 *inal Act, approved and in force May 29, 1879, as set forth in Section 1 of the Act*
6 *of which this is an amendment and which said Act was approved June 11, 1917, in*
7 *force July 1, 1917, there is a clerical error which is corrected by this Act:*

8 *Therefore, all petitions filed in any court and all court orders and proceed-*
9 *ings had and taken thereunder, since the passage of the said Act of June 11, 1917,*
10 *and prior to the passage of this Act are hereby ratified, validated and confirmed*
11 *the same as though done and performed subsequent to the passage of this Act.*



- 1 Introduced by Mr. Frank Ryan, May 24, 1921.
- 2 Read by title, ordered printed and referred to Committee on Efficiency and
Economy.

A BILL

For an Act to amend Sections 58 and 60 of an Act entitled: "An Act in relation to the civil administration of the State government, and to repeal certain Acts therein named," approved March 7, 1917, in force July 1, 1917.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That Sections 58 and 60 of an Act en-
3 titled: "An Act in relation to the civil administration of the State Government,
4 and to repeal certain acts therein named," approved March 7, 1917, in force
5 July 1, 1917, be amended to read as follows:

Sec. 58. POWERS OF DEPARTMENT OF REGISTRATION AND EDUCATION.] The
2 Department of registration and education shall have power:
3 1. To exercise the rights, powers and duties vested by law in the control of
4 education of the State of Illinois, the board of trustees of the Southern Normal
5 University at Carbondale, the board of trustees of the Northern Illinois State
6 Normal School at DeKalb, the board of trustees of the Eastern Illinois State

7 Normal School at Charleston, and the board of trustees of the Western Illinois
8 State Normal School at Malcomb;

9 2. To exercise the rights, powers and duties vested by law in the board of
10 veterinary examiners and the State board of live stock commissioners relating
11 to the practice of veterinary medicine and surgery in the State of Illinois;

12 3. To exercise the rights, powers and duties vested in law the board of
13 examiners of horseshoers;

14 4. To exercise the rights, powers and duties vested by law in the State
15 board of examiners of architects;

16 5. To exercise the rights, powers and duties vested by law in the State
17 board of examiners of structural engineers;

18 6. To exercise the rights, powers and duties vested by law in the State
19 Board of Health relating to the practice of medicine or any of the branches
20 therefo, or midwifery;

21 7. To exercise the rights, powers and duties vested by law in the State
22 Board of Health relating to the regulation of the embalming and disposal of
23 dead bodies, and for a system of examination, registration and licensing of
24 embalmers;

25 8. To exercise the rights, powers and duties vested by law in the State
26 Board of Pharmacy;

27 9. To exercise the rights, powers and duties vested by law in the Illinois
28 State Board of Dental Examiners;

29 10. To exercise the rights, powers and duties vested by law in the Illinois
30 State Board of Nurse Examiners;

31 11. To exercise the rights, powers and duties vested by law in the State
32 Board of Optometry;

33 12. To exercise the rights, powers and duties vested by law in the State
34 Board of Barber Examiners, its officers and employes;

35 13. To investigate and study the natural resources of the State and to
36 prepare plans for the conservation and development of the natural resources

37 and for that purpose the officers and employes thereof may enter and cross
38 all lands in this State, doing no damage to private property.

39 14. To cooperate with and advise departments having administrative
40 powers and duties relating to the natural resources of the State, and to co-
41 operate with similar departments in other states and with the United States
42 government;

43 15. To conduct a natural history survey of the State, giving preference
44 to subjects of educational and economic importance;

45 16. To publish, from time to time, reports covering the entire field of
46 zoology and botany of the State;

47 17. To maintain a State museum, and to collect and preserve objects of
48 scientific and artistic value, representing past and present fauna and flora, the
49 life and works of man, geological history, natural resources, and the manufac-
50 turing and fine arts;

51 18. To supply natural history specimens to the State educational institu-
52 tions and to the public schools;

53 19. To investigate the entomology of the State;

54 20. To investigate all insects dangerous and injurious to agricultural or
55 horticultural plants and crops, live stock, to nursery trees and plants, to the
56 products of the truck farm and vegetable garden, to shade trees and other or-
57 namental vegetation of cities and villages, to the products of the mills and the
58 contents of warehouses, and all insectinjurious or dangerous to the public
59 health;

60 21. To conduct experiments with methods for the prevention, arrest,
61 abatement and control of insects injurious to persons or property;

62 22. To instruct the people by lecture, demonstration or bulletin, in the
63 best methods of preserving and protecting their property and health against
64 injuries by insects;

65 23. To publish, from time to time, articles on the injurious and beneficial
insects of the State;

66 24. To study the geological formation of the State with reference to its
 67 resources of coal, ores, clays, building stones, cement, materials suitable for use
 68 in the construction of roads, gas mineral and artesian water and other pro-
 69 ducts.

70 25. To publish, from time to time, topographical, geological and other
 71 maps to illustrate the resources of the State;

72 26. To publish from time to time, bulletins giving a general and detailed
 73 description of the geological and mineral resources of the State;

74 27. To cooperate with the United States geological survey in the prepara-
 75 tion and completion of a contour topographical survey and map;

76 28. To collect facts and data concerning the water resources of the State;

77 29. To determine standards of purity of drinking water for the various
 78 sections of the State;

79 30. To publish, from time to time, the results of its investigations of the
 80 waters of the State to the end that the available water resources of the State
 81 may be better known and that the welfare of the people in the various commu-
 82 nities may be conserved;

83 31. To make analysis of samples of water from municipal or private
 84 sources;

85 32. To distribute, in its discretion, to the various educational institutions
 86 of the State specimens, samples and materials collected by it after the same
 87 have served the purposes of the department.

88 33. *To exercise the rights, powers and duties vested by law in the Uni-*
 89 *versity of Illinois, relating to the profession of public accountants.*

Sec. 60. ADDITIONAL POWERS OF DEPARTMENT OF REGISTRATION AND EDUCA-
 2 TION.] The department of registration and education shall, wherever the sev-
 3 eral laws regulating professions, trades and occupations which are devolved
 4 upon the department for administration so require, exercise, in its name, but
 5 subject to the provisions of this Act, the following powers:

6 1. Conduct examinations to ascertain the qualifications and fitness of ap-
7 plicants to exercise the profession, trade or occupation for which an examina-
8 tion is held; and pass upon the qualifications of applicants for reciprocal li-
9 censes, certificates and authorities;

10 2. Prescribe rules and regulations for a fair and wholly impartial method
11 of examination of candidates to exercise the respective professions, trades or
12 occupations;

13 3. Prescribe rules and regulations defining, for the respective professions,
14 trades and occupations, what shall constitute a school, college or university, or
15 department of a university, or other institutions, reputable and in good stand-
16 ing and to determine the reputability and good standing of a school, college or
17 university, or department of a university, or other institution, reputable and in
18 good standing by reference to a compliance with such rules and regulations;

19 4. Adopt rules providing for and establishing a uniform and reasonable
20 standard of maintenance, instruction and training to be observed by all schools
21 for nurses which are to be deemed reputable and in good standing and to de-
22 termine the reputability and good stadning of such schools for nurses by refer-
23 ence to compliance with such rules and regulations;

24 5. Establish a standard of preliminary education deemed requisite to ad-
25 mission to a school, college or university, and to require satisfactory proof of
26 the enforcement of such standard by schools, colleges and universities;

27 6. Conduct hearings on proceeding to revoke or refuse renewal of licenses,
28 certificates or authorities of persons exercising the respective professions,
29 trades or occupations, and to revoke or refuse to renew such licenses, certifi-
30 cates or authorities;

31 7. Formulate rules and regulations when required in any act to be admin-
32 istered.

33 None of the above enumerated functions and duties shall be exercised by
34 the department of registration and education, except upon the action and re-
35 port in writing of persons designated from time to time by the director of reg-

36 istration and education to take such action and to make such report, for the
37 respective professions, trades and occupations as follows:

38 For the veterinary practitioners, three competent veterinary surgeons, not
39 more than two of whom shall be graduates of the same veterinary college, and
40 neither of whom shall be connected with any veterinary college in any capacity;

41 For the horseshoers, five persons, consisting of three practical mas-
41½ ter horseshoers who have been at least three years prior to their des-
42 ignation engaged in the occupation of horseshoeing in this State, and two jour-
43 neymen horseshoers, who have been for at least three years prior to their des-
44 ignation engaged in the occupation of horseshoeing as journeyman horseshoers
45 in this State;

46 For the architects, five persons, one of whom shall be a member of the fac-
47 ulty of the University of Illinois, and the other four of whom shall be archi-
48 tects residing in this State, who have been engaged in the practice of architec-
49 ture at least ten years;

50 For the structural engineers, five persons, one of whom shall be a profes-
51 sor in the civil engineering department of the University of Illinois and other
52 of whom shall be structural engineers of recognized standing, who have had
53 not less than ten years' practical experience, then practicing as structural en-
54 gineers in this State;

55 For the medical practitioners, embalmers and midwives, five persons, all
56 of whom shall be reputable physicians licensed to practice medicine and surg-
57 ery in this State, no one of whom shall be an officer, trustee, instructor or stock-
58 holder or otherwise interested directly or indirectly, in any medical college or
59 medical institution. For the purpose of preparing questions and rating papers
60 on practice peculiar to any school, graduates of which may be candidates for
61 registration or license, the director may designate additional examiners when-
62 ever occasion may require;

63 For pharmacists, five persons, each of whom shall be a competent regis-
64 tered pharmacist in the state, and shall have had ten years' practical experi-
65 ence in the dispensing of physicians prescriptions since such registration;

66 For dentists, five persons, each of whom has been a licensed practitioner of
67 dentistry or dental surgery in this state for a period of five years or more, and
68 no one of whom is in any way connected with or interested in any dental col-
69 lege or dental department of any institution of learning;

70 For the registered nurses, five persons, each of whom is a registered nurse
71 in this State and has been graduated for at least a period of five years from a
72 school for nurses in good standing, and, during the course of training, has
73 served for two years in a general hospital, and three of whom shall have had at
74 least two years' experience in educational work among nurses;

75 For the optometrists, five persons from among such practicing optome-
76 trists of the State as have had not less than five years' practical experience in
77 optometry, no one of whom is a member of any optical school or college or in-
78 structor in optometry or person connected in any way therewith, or is a manu-
79 facturer, jobber or jobbing representative;

80 For barbers, three practical barbers, each of whom has been for at least
81 five years preceding his designation engaged in the occupation of barbering in
82 this State;

83 *For the public accountants, three persons, at least two of whom shall be*
84 *skilled in the practice of accounting and actively engaged therein in the State of*
85 *Illinois, and the third shall be either an accountant of the grade herein des-*
86 *cribed or an attorney skilled in commercial law.*

87 The action or report in writing of a majority of the persons designated for
88 any given trade, occupation or profession, shall be sufficient authority upon
89 which the director of registration and education may act.

90 In making the designation of persons to act for the several professions,
91 trades and occupations the director shall give due consideration to recommenda-
92 tions by members of the respective professions, trades and occupations and by
93 organizations therein.

94 Whenever the director is satisfied that substantial justice has not been
95 done either in an examination or in the revocation of or refusal to renew a
96 license, certificate or authority, he may order re-examinations or rehearings by
97 the same or other examiners.



- 1 Introduced by Mr. Breen, May 24, 1921.
- 2 Read by title, ordered printed, and referred to Committee on Judiciary.

A BILL

For an Act in relation to the solicitation and collection of moneys on behalf of clubs,
societies and other unincorporated organizations.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* The treasurer, or person acting as treas-
3 urer, of any club, society or other unincorporated organization, which indiscrimi-
4 nately solicits or collects moneys in this State for any purpose whatever, or on
5 behalf of which moneys are so solicited or collected, shall keep a record of all
6 moneys collected, pledged or promised; and shall, at intervals of not exceeding six
7 months, and at the expiration of such solicitation or collection, cause publication
8 to be made of such record in some newspaper of general circulation published in
9 each county where such solicitation or collection took place, or if no such news-
10 paper is published in such county, then the publication shall be made in the
11 nearest newspaper published in this State. Such record shall contain the name
12 and address of each person from whom moneys have been collected, or who has
13 pledged or promised to contribute moneys, with the amount and date of each
14 such transaction. Such record shall also state the purpose of such solicitation or

15 collection, and the name and address or principal office of the club, society or
16 other unincorporated organization for which such solicitation or collection was
17 made.

Sec. 2. It is unlawful for any person indiscriminately to solicit or collect
2 moneys for any such club, society or other unincorporated organization, unless
3 some person has been duly authorized by such club, society or other unincorpor-
4 ated organization to act as its treasurer.

Sec. 3. Any person who violates any provision of this Act shall be fined
2 not less than twenty-five dollars nor more than two hundred dollars.



- 1 Introduced by Mr. Sonnemann, May 24, 1921.
- 2 Read by title, ordered printed, and referred to Committee on Judiciary.

A BILL

For an Act to add Section 219½ to “An Act to revise the law in relation to criminal jurisprudence,” approved March 27, 1874, in force July 1, 1874, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: Section 219½ is added to “An Act to revise the law in relation to criminal jurisprudence,” approved March 27, 1874, in force July 1, 1874, as amended, the added section to read as follows:*

Sec. 219½. *Any person who exacts, or attempts to exact money from a purchaser of music, in addition to the purchase price, on account of public use of such music, shall be fined not exceeding two hundred dollars (\$200.00), or imprisoned in the county jail for not exceeding one year.*



1 Introduced by Mr. Pierce, May 24, 1921.

2 Read by title, ordered printed, and referred to Committee on Judiciary.

A BILL

For an Act to legalize and make valid county bonds and additional tax therefor, voted or attempted to be voted, for the purpose of constructing and improving public highways of or in a County and to confer upon county boards full power and authority to issue any such bonds and to abate suits pending.

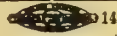
SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That in all cases where at any election
3 held in any County in this State, a proposition to issue county bonds for the
4 purpose of raising money to be appropriated and used in the construction of
5 county highways or in aiding in the construction of roads and highways in any
6 part of such County, or in the improvement in any manner of any public highway
7 or highways of such County, and any and all additional taxes for the payment
8 thereof, a majority of the voters voting on such proposition or propositions at
9 such election have voted in favor of issuing county bonds of such County for such
10 highway improvement purpose or purposes, and any and all additional tax or
11 taxes therefor, all such elections and proceedings shall be, and the same hereby

12 are made legal and valid and sufficient to authorize the county board in any such
13 County to issue any such bonds, and any bonds which may have been or may
14 hereafter be issued in pursuance of any such election or elections and all pro-
15 ceedings thereof, shall be, and the same hereby are made, whenever issued by
16 such County Board of such County, the legal, valid and binding obligations of
17 such County and full power and authority shall be, and the same is hereby given
18 to and conferred upon such County Board of any such County to issue any such
19 bonds or to ratify and accept as binding, obligations of such County, any such
20 bonds that have been issued or authorized to be issued by any proceedings of such
21 County Board, and any and all additional tax or taxes shall be, and the same
22 hereby are made legal and valid, notwithstanding any objection which, except for
23 the passage of this Act, could have been made to the power or duty of the County
24 Board of any such County to issue such bonds or to the legality of such bonds or
25 to such bond elections or to such bond proceedings or to the taxes levied for prin-
26 cipal or interest thereon, or to be levied and collected for the payment of the prin-
27 cipal or interest thereon on such bonds, and any and all suits now pending in any
28 and all of the courts of this State, attacking the legality of such bonds, bond
29 elections, bond proceedings or taxes for principal or interest thereon, or the
30 enjoining of the issuing of such bonds or of the levy or collection of any such
31 tax or taxes, are hereby abated.

AMENDMENTS TO

52d G. A. HOUSE BILL NO. 830 IN SENATE

1921



1 Offered by Mr. Hicks, June 17, 1921.

2 Adopted and ordered printed.

AMENDMENT NO. 1.

Amend House Bill No. 830 in the Senate, by striking out on page two
2 thereof, in line 27, after the word “bonds”, the comma (,), and all that follows
3 in said section after the word “bonds” in said line 27 to the end of sentence.

AMENDMENT NO. 2.

Amend House Bill No. 830 in the Senate, in Section one, on page two, in
2 line 27, after the word “bonds”, by adding a period (.).



- 1 Introduced by Mr. Healy, May 24, 1921.
- 2 Read by title, ordered printed, and referred to Committee on License and Mis-
cellany.

A BILL

For an Act to limit the price to be charged for admission to baseball games.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* It is unlawful to charge for admission to
3 any baseball game, including the use of any reserved seat, a greater amount than
4 seventy-five cents. Any person, club, association or corporation violating the
5 provisions of this Act shall be fined not less than ten dollars (\$10.00) nor more
6 than five hundred dollars (\$500.00) for each person so overcharged.



- 1 Introduced by Mr. Roberts, May 24, 1921.
- 2 Read by title, ordered printed, and referred to Committee on Appropriations.

A BILL

For an Act to provide for the acquisition and improvement of certain property in the
City of Springfield, immediately adjoining the Lincoln Homestead.

WHEREAS, The property located on Eighth street, in the city of Springfield,
2 Illinois, known as the "Lincoln Homestead" is in close proximity to a small
3 frame building which greatly detracts from the appearance of Illinois' most
4 priceless possession; and

5 WHEREAS, The proximity of this structure constitutes a very grave fire
6 hazard to the building in which Abraham Lincoln lived and which is, in fact, the
7 only property he ever owned; and

8 WHEREAS, The destruction of the Lincoln Homestead would be an irrepar-
9 able loss to this State and to the world; and

10 WHEREAS, It is a paramount duty of the State to conserve and protect by
11 every means, this property so rich with memories of the man Illinois is proud to
12 claim as her own; now therefore

SECTION 1. *Be it enacted by the People of the State of Illinois,*

represented in the General Assembly: The Department of Public Works and Buildings is authorized and directed to acquire by purchase, gift or by condemnation in accordance with the laws of this State relating to the exercise of eminent domain, the property fronting on Eighth street immediately adjoining the Lincoln Home, which property is more specifically described as follows:

Lot Six (6) and the North thirty (30) feet of Lot Seven (7), in Block Ten (10) of E. Hies' Addition to the City of Springfield, situated in the County of Sangamon, State of Illinois.

Sec. 2. Upon the acquisition of the property described in Section 1, the Department of Public Works and Buildings shall wreck or remove the building located on said property and shall in its discretion use or dispose of this building or the material.

Sec. 3. The Department of Public Works and Buildings shall thereupon proceed to improve and beautify the lot in a fitting manner by the planting of trees, shrubs, grass or otherwise as may seem necessary.

Sec. 4. There is appropriated to the Department of Public Works and Buildings the sum of twenty thousand dollars or so much thereof as may be necessary for the purpose of acquiring the property specified in this Act and for removing the building located thereon and for beautifying and otherwise improving the property.

Sec. 5. This appropriation is subject to the provisions of "An Act in relation to State finance," approved June 10, 1919, in force July 1, 1919.

AMENDMENT TO

52d G. A.

HOUSE BILL NO. 832

1921



1 Adopted June 2, 1921.

AMENDMENT NO. 1.

Amend House Bill No. 832, as printed, on page 2, Section 4, line 2, by striking out the word "twenty" and inserting in lieu thereof the word "fifteen."



- 1 Introduced by Mr. Young, May 24, 1921.
- 2 Read by title, ordered printed, and referred to Committee on Judiciary.

A BILL

For an Act to regulate the practice of dentistry and dental hygiene.

- SECTION 1. *Be it enacted by the People of the State of Illinois,*
- 2 *represented in the General Assembly:* No person not registered or licensed to
- 3 practice dentistry in this State at the time this Act takes effect shall practice
- 4 or attempt to practice dentistry or any branch thereof without a certificate of
- 5 registration as a registered dentist, issued by the Department of Registration
- 6 and Education, pursuant to the provisions of the Civil Administrative Code of
- 7 Illinois.
- 8 No person after October 1, 1921, shall practice or attempt to practice dental
- 9 hygiene without a certificate of registration as a registered dental hygienist
- 10 issued by the Department of Registration and Education, pursuant to the provi-
- 11 sions of the Civil Administrative Code of Illinois.
- 12 Registered dental hygienists may practice their profession in public schools,
- 13 charitable, penal and educational institutions maintained and operated by the
- 14 State or any county or municipality, and in public and private hospitals and sani-

15 tariums, and not elsewhere. Dental hygienists must practice only under the
16 general direction and supervision of a licensed or registered dentist.

Sec. 2. A person practices dentistry within the meaning of this Act, who
2 holds himself out as being able to diagnose, treat, operate or prescribe for any
3 disease, pain, injury, deficiency, deformity or physical condition of the human
4 teeth, alveolar process, gums or jaws, and who offers or undertakes by any
5 means or methods to diagnose, treat, operate or prescribe for any disease, pain,
6 injury, deficiency, deformity or physical condition of the same. The following
7 practices, acts and operations, however, are exempt from the operation of this
8 Act:

9 (a) The practices of his profession by a physician or surgeon unless he
10 undertakes to reproduce or reproduces lost parts of the human teeth in the mouth
11 or to restore or replace in the human mouth lost or missing teeth;

12 (b) The practice of dentistry in the discharge of their official duties by den-
13 tists of the United States Army, the United States Navy or the United States
14 Public Health Service;

15 (c) The practice of dentistry by students in dental colleges approved by the
16 Department of Registration and Education, when acting under the direction and
17 general supervision of a registered or licensed dentist acting as instructor;

18 (d) The practice of dentistry by licensed dentists of other states or coun-
19 tries at meetings of the Illinois State Dental Society or component parts
20 thereof, alumni meetings of dental colleges or any other dental organizations;

21 (e) The routine cleaning of mouth tissues by a registered nurse upon pre-
22 scription or by the direction of a licensed physician or dentist;

23 (f) The use of roentgen and other rays for making radiographs or similar
24 records of dental or oral tissues;

25 (g) The making of artificial restorations, substitutes, appliances or mate-
26 rials for the correction of disease, loss, deformity, malposition, dislocation, frac-
27 ture, injury to the jaws, teeth, lips, gums, cheeks, palate, or associated tissues or

28 parts either upon order, prescription, casts, models, or from impressions fur-
29 nished by a licensed and registered dentist.

Sec. 3. A person practices dental hygiene within the meaning of this Act
2 who offers or undertakes to remove or holds himself out as able to remove de-
3 posits, accretions and stains from the exposed surfaces of human teeth.

Sec. 4. A person is qualified to receive a certificate of registration to prac-
2 tice dentistry in the State of Illinois, who:

3 (a) Is twenty-one years of age or over;

4 (b) Is of good moral character and temperate habits;

5 (c) Is not afflicted with a contagious disease;

6 (d) Has graduated from a high school, or secondary school which requires
7 a four years' course and not less than fifteen high school units for graduation,
8 said high school course being based upon eight years of elementary school. Such
9 high school or secondary school shall be approved by the United States Bureau of
10 Education, or accredited by the State University of the State in which the school
11 is located, or by a university which is a member of the Association of American
12 Universities. The equivalent of such high school education, as determined by
13 examination conducted as hereinafter provided in this section, shall be accepted
14 as fulfilling this requirement;

15 (e) Has graduated from a dental college approved by the Department of
16 Registration and Education, and

17 (f) Has passed a satisfactory examination conducted by the professional
18 committee for dentistry of the Department of Registration and Education to
19 determine his fitness to receive a license to practice dentistry. The examination
20 of preliminary education provided in paragraph (d) shall be conducted by a com-
21 mittee of examiners composed of three educators of ability and reputation
22 appointed by the Superintendent of Public Instruction.

Sec. 5. A person is qualified to receive a certificate of registration to prac-
2 tice dental hygiene who:

(a) Is at least twenty years of age:

(b) Is of good moral character;

(c) Is free from contagious disease;

(d) Has completed a course of study in dental hygiene of at least one college year of thirty-two weeks in a college of dental surgery or a college or school of dental hygiene approved by the professional committee for dentistry of the Department of Registration and Education, and which requires as a prerequisite to matriculation proofs of having completed the first two years in an approved high school, or the equivalent thereof as determined by an examination conducted by the committee of examiners appointed by the Superintendent of Public Instruction to conduct examinations of preliminary education for dentists; and

(e) Has passed an examination conducted by the professional committee for dentistry of the Department of Registration and Education to determine his fitness to receive a certificate of registration as a registered dental hygienist.

A licensed physician or registered nurse may receive twenty-four weeks' time credit on the thirty-two weeks' course of study required by the provisions of paragraph (d) but must complete a course of study of eight weeks in practical dental hygiene subjects in an accredited school of dental hygiene.

Sec. 6. Every person who desires to obtain a certificate of registration either to practice dentistry or to practice dental hygiene, shall apply to the Department of Registration and Education, in writing, upon blanks prepared and furnished by the Department. Each application shall contain proof of the particular qualifications required of the applicant, shall be verified by the applicant under oath, and shall be accompanied by the required fee.

Sec. 7. The Department of Registration and Education shall hold examinations of applicants for certificates of registration to practice dentistry and of applicants for certificate of registration to practice dental hygiene at such times and places as it may determine.

5 The examination of applicants for certificates of registration to practice
6 dentistry may include both practical demonstration and written and oral tests,
7 and shall embrace the dental subjects usually taught in colleges of dentistry
8 approved by the Department of Registration and Education.

9 The examination of applicants for certificates of registration to practice
10 dental hygiene may include both practical demonstration and written and oral
11 tests and shall embrace the dental hygiene subjects usually taught in colleges of
12 dentistry and colleges or schools of dental hygiene approved by the professional
13 committee for dentistry of the Department of Registration and Education.

Sec. 8. Whenever the provisions of this Act have been complied with the
2 Department of Registration and Education shall issue a certificate of registration
3 as a registered dentist or as a registered dental hygienist, as the case may be.

Sec. 9. A person who is licensed or registered to practice dentistry or who is
2 licensed or registered to practice dental hygiene under the laws of another state
3 or territory of the United States, or of a foreign country or province, and who
4 has been reputably engaged in the practice of dentistry or of dental hygiene (as
5 the case may be) in such state, territory, country or province for five years or
6 more immediately preceding his application, may be granted a certificate of regis-
7 tration to practice dentistry or dental hygiene (as the case may be), in the State
8 of Illinois, by the Department of Registration and Education, upon the following
9 conditions and provisions:

10 (a) That he is not afflicted with a contagious disease.

11 (b) That the applicant is of good moral character and temperate habits.

12 (c) That the requirements for the licensing or registering of dentists or of
13 dental hygienists (as the case may be), in the particular state, territory, country
14 or province were at the time of the issuance of his license or registration sub-
15 stantially equal to the requirements then in force in this State.

16 (d) That the applicant has passed a practical examination to determine his
17 proficiency in the practice of dentistry, or dental hygiene; as the case may be.

18 (e) That he pays the required fee; and

19 (f) That similar reciprocal privileges are given by said state, territory,
 20 country or province to dentists or dental hygienists (as the case may be), licensed
 21 or registered by and practicing in this State.

Sec. 10. The Department of Registration and Education may, in its discre-
 2 tion, admit dental students conditionally to the examinations on any such subjects
 3 as have been completed during the first two years of the dental course, providing
 4 the applicant is nineteen years of age has certified that he has studied dentistry
 5 not less than two years, including two satisfactory courses in two different
 6 college years in a dental school approved by the Department as maintaining at
 7 the time a satisfactory educational standard. If the applicant receives a passing
 8 grade, he will be given credit as having completed these subjects when he pre-
 9 sents himself for an examination for a certificate upon his completion of his
 10 course in dentistry. The fee and the conditions governing the same for this con-
 11 ditional examination shall be the same as for a complete examination for a license.

Sec. 11. Any person of this State heretofore licensed or registered as a den-
 2 tist under any prior Act relating to the licensing or registering of dentists,
 3 whose license or certificate of registration to practice dentistry has lapsed or
 4 expired (but was not revoked) in accordance with the provisions of any such
 5 prior Act may obtain a certificate of registration to practice dentistry by making
 6 application therefor to the Department of Registration and Education and by
 7 paying the required restoration fee.

Sec. 12. Any person who has received a certificate of registration to prac-
 2 tice dentistry or dental hygiene in this State shall personally and within ninety
 3 days cause such certificate of registration to be registered with the county clerk
 4 of the county or counties in which such person desires to engage in the practice
 5 of dentistry or dental hygiene, and the county clerks of the several counties of
 6 this State shall charge for registering such certificate a fee of twenty-five (25)
 7 cents for each registration. Any person failing to register his license shall be
 8 fined not more than ten dollars.

Sec. 13. Every holder of a certificate of registration to practice dentistry while in the practice of dentistry shall display it in a conspicuous place in his principal office, place of business or employment. Every person, co-partnership, association or corporation, which owns, operates, or conducts any room or office, or suite of rooms or offices wherein one or more persons are engaged in the practice of dentistry, shall conspicuously display the names of each and all of the persons so engaged, at the main entrance to his or their, or its place of business. Said names to be printed in English with letters not less than one inch in height.

Sec. 14. Licensed or registered dentists are exempt from service as jurors in any courts of this State.

Sec. 15. The fee to be paid by an applicant for an examination to determine his fitness to receive a certificate of registration as a registered dentist is \$10.00.

The fee to be paid by an applicant for a certificate of registration as a registered dentist is \$5.00.

The fee to be paid by an applicant for the restoration of an expired license or certificate of registration as a registered dentist is \$15.00.

The fee to be paid by an applicant for an examination to determine his fitness to receive a certificate of registration as a registered dental hygienist is \$10.00.

The fee to be paid by an applicant for a certificate of registration as a registered dental hygienist is \$2.00.

Sec. 16. The Department of Registration and Education may refuse to issue or may suspend or revoke any license to practice dentistry, or dental hygiene for any one of the following causes or acts:

(a) A violation of any of the provisions of this Act, for which a fine is prescribed.

(b) The violation of, or the procuring of or assisting in a violation of any Act which is now, or which may hereafter be, in force in this State, relating to the use of habit-forming drugs;

- 9 (c) The conviction of a felony, as shown by a certified copy of the record of
- 10 the court of such conviction;
- 11 (d) The obtaining or the attempt to obtain a certificate of registration, or
- 12 money or any other thing of value, by fraudulent representation;
- 13 (e) Gross malpractice;
- 14 (f) Continued practice by a person knowingly having a contagious disease;
- 15 (g) Advertising by means of false or deceptive statements;
- 16 (h) Advertising, practicing or attempting to practice under a name other
- 17 than his own name;
- 18 (i) Habitual drunkenness, or habitual addiction to the use of morphine,
- 19 cocaine, or other habit-forming drugs.

Sec. 17. The Department of Registration and Education may, neither re-

2 fuse to issue, nor suspend or revoke any certificate of registration for any of the

3 aforesaid causes, unless the person accused has been given at least twenty days

4 notice in writing by personal service or by registered mail of a copy of the

5 charge against him and an opportunity for a public hearing by the Department

6 and the Board. At the hearing of any such proceeding the Director of Regis-

7 tration and Education, the Assistant Director of Registration and Education, or

8 the Superintendent of Registration, may administer oaths, and the Department

9 may procure, by its subpoena, the attendance of witnesses and the production of

10 books, documents and papers, and the accused shall have the subpoena of the De-

11 partment for his witnesses and may be heard in person and by counsel, in open

12 public hearing. Any circuit or superior court, or any judge thereof, either in

13 term time or in vacation, upon the application either of the accused or of the

14 Department, may, by order duly entered, require the attendance of witnesses

15 and the production of books, documents and papers before the department in

16 any hearing relating to the restoration, suspension or revocation of a certificate.

17 Upon refusal or neglect to abide by the order of the court or judge, the court

18 or judge may compel, by proceedings as for contempt of court, or otherwise,

19 obedience to its or his order.

Sec. 18. Each of the following acts constitutes a misdemeanor and each offense shall be punished upon conviction by a fine of not less than fifty dollars nor more than two hundred dollars.

(a) The practice of dentistry or the attempt to practice dentistry without a license except by those persons specified in this Act.

(b) The permitting of any person in one's employ or under one's control or supervision, to practice dentistry unless that person has a license to practice dentistry.

(c) The obtaining or attempt to obtain a license to practice dentistry or the obtaining of money or anything of value, by fraudulent representations.

(d) The making of any wilfully false oath or affirmation whenever an oath or affirmation is required by this Act.

Sec. 19. Each of the following acts constitutes a misdemeanor and each offense shall be punishable, upon conviction, by a fine of not less than twenty-five dollars nor more than one hundred dollars, namely:

(a) The practice of dental hygiene, or the attempt to practice dental hygiene, without a license except by those persons specified in this Act.

(b) The permitting of any person in one's employ or under one's control or supervision, to practice dental hygiene unless that person has a license to practice dental hygiene.

(c) The obtaining or the attempt to obtain a license to practice dental hygiene, or the obtaining of money or anything of value, by fraudulent representations.

(d) The making of any wilfully false oath or affirmation whenever an oath or affirmation is required by this Act.

(e) Violation of any of the provisions of Section 15 of this Act.

Sec. 20. All fines and penalties shall inure to the Department of Registration and Education.

Sec. 21. The Department of Registration and Education may adopt reasonable rules and regulations for the proper administration of the provisions of this Act.

Sec. 22. The Department of Registration and Education shall keep a record open to public inspection at all reasonable times, of its proceedings relating to the issuance, refusal, suspension and revocation of certificates. This record shall also contain the name, known places of business and residence of the party involved, and the date and number of the proceeding.

Sec. 23. "An Act to regulate the practice of dental surgery and dentistry in the State of Illinois, and to repeal certain Acts therein named," approved June 11, 1909, in force July 1, 1909, as amended, is repealed.



- 1 Introduced by Mr. Breen, May 24, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to add Section 220a to Division I of "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 220a is added to Division I of
3 "An Act to revise the law in relation to criminal jurisprudence," approved
4 March 27, 1874, in force July 1, 1874, as amended, the added section to read as
5 follows:

Sec. 220a. *It is unlawful for any person to publish, print, issue, circulate,*
2 *send, sell or give away in this State, any newspaper, magazine, or other peri-*
3 *odical, which is not printed in the English language. Any person who violates*
4 *the provisions of this section shall be fined not less than twenty-five dollars*
5 *(\$25.00) nor more than five hundred dollars (\$500.00), or imprisoned in the*
6 *county jail not exceeding one year, or both.*

1 Introduced by Mr. Gieseler, May 24, 1921.

2 Read by title, ordered printed and referred to Committee on Municipalities.

A BILL

For an Act prohibiting the transmission of a false alarm of fire, and providing a
penalty therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That any person who knowingly and
3 willfully transmits or sends a false alarm of fire to the fire department of any
4 city, village town or causes the same to be transmitted or sent, knowing at the
5 time of such transmission or sending that there is no fire to which the fire de-
6 partment should respond or having no reasonable ground for believing that
7 there is such fire, shall be guilty of a misdemeanor, and upon conviction there-
8 of, shall be subject to a fine of not less than fifty dollars nor more than two
9 hundred dollars, or imprisonment in the county jail for not less than thirty
10 days nor more than three months, or both such fine and imprisonment.

AMENDMENTS TO

52d G. A.

HOUSE BILL NO. 835

1921



1 Adopted June 7, 1921.

AMENDMENT NO. 1.

Amend printed House Bill No. 835, by striking out in Section 1, line 9,
2 after the word "jail" the word "for".

AMENDMENT NO. 2.

Amend printed House Bill No. 835, after the word "not" in line 9, Section
2 1, by adding the words "to exceed one year".

AMENDMENT NO. 3.

Amend printed House Bill No. 835, in line 10, Section 1, by striking out the
2 words "days nor more than three months".



- 1 Introduced by Mr. Healy, May 24, 1921.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act to authorize the establishment and operation by the State of a cement
manufacturing plant.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* The Department of Public Works and
3 Buildings is authorized and directed, to establish, equip, maintain and operate
4 either within or without this State a cement manufacturing plant for the purpose
5 of supplying cement to the State of Illinois and to counties and townships
6 within the State for use upon road and bridge construction projects and building
7 construction projects. The department may, if it sees fit, acquire a running
8 cement plant either by purchase or by condemnation under the eminent domain
9 laws of this State.

Sec. 2. The Department of Public Works and Buildings shall have power:

- 2 (a) To acquire, by purchase or lease or by condemnation under the emi-
- 3 nent domain laws of this State, real estate for use as a ground site for this

4 cement manufacturing plant, and for all necessary mining and excavation
5 purposes;

6 (b) To erect or to acquire, by purchase or lease or by condemnation under
7 the eminent domain law of this State, all necessary buildings, plants and
8 structures;

9 (c) To acquire, by purchase or lease, all necessary machinery, apparatus
10 and equipment;

11 (d) To carry on such mining and excavation activities as shall be neces-
12 sarily incidental to the procuring of raw materials;

13 (e) To purchase all necessary raw materials and supplies;

14 (f) To appoint without reference to any civil service law, all necessary em-
15 ployees and to prescribe their duties, compensation and terms of employment;

16 (g) To distribute the manufactured cement to those parts of the State in
17 which it may be needed; and

18 (h) To do all other acts necessary for the successful establishment, equip-
19 ment, maintenance and operation of a cement manufacturing plant and for the
20 distribution of the manufactured cement.

Sec. 3. The cement manufactured in accordance with the provisions of this
2 Act shall never be sold or given away to any person, firm, association, or pri-
3 vate corporation whatsoever, but it may be sold to counties and townships of this
4 State to be used in road and bridge or building construction work.

Sec. 4. For the purpose of carrying out the provisions of this Act the sum
2 of five million dollars is appropriated to the Department of Public Works and
3 Buildings. This appropriation is subject to the provisions of "An Act in rela-
4 tion to State finance," approved June 10, 1919, in force July 1, 1919.



- 1 Introduced by Mr. Smeykal, May 24, 1921.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act making appropriations for the State charitable, penal and reformatory institutions.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* There is appropriated to the Department of Public Welfare, payable from the general revenue fund, for the support, operation, maintenance and expenses of the several State charitable, penal and reformatory institutions until the expiration of the first fiscal quarter after the adjournment of the next General Assembly, the sum of eighteen million, ninety-one thousand, nine hundred and twenty-seven dollars (\$18,091,927) in the following items:

For Salaries and Wages.....	\$7,606,396
For Office Expenses.....	\$ 100,090
For Travel.....	\$ 130,430
For Operation.....	\$8,265,752
For Repairs and Equipment.....	\$1,925,259

14	For Contingencies.....	\$ 45,000
15	For Free Circulating Library for the Blind.....	4,000
16	For Returning Escapes.....	\$ 15,000

Sec. 2. The amounts herein appropriated in the several items set forth in Section 1 of this Act shall be apportioned among the several State charitable, penal and reformatory institutions as nearly as possible, as follows:

TO ELGIN STATE HOSPITAL:

5	For Salaries and Wages.....	\$ 444,660
6	For Office Expenses.....	\$ 5,000
7	For Travel	\$ 6,000
8	For Operation	\$ 531,066
9	For Repairs and Equipment.....	\$ 123,530
10	For Contingencies	\$ 2,000

(Total for Elgin State Hospital, \$1,112,256.)

TO THE KANKAKEE STATE HOSPITAL

13	For Salaries and Wages.....	\$ 709,588
14	For Office Expenses.....	\$ 8,900
15	For Travel	\$ 7,000
16	For Operation	\$ 894,821
17	For Repairs and Equipment.....	\$ 161,348
18	For Contingencies	\$ 2,000

(Total for Kankakee State Hospital, \$1,783,657.)

TO THE PSYCHOPATHIC INSTITUTE:

21	For Salaries and Wages.....	\$ 98,580
22	For Office Expenses.....	\$ 1,200
23	For Travel	\$ 3,500
24	For Operation	\$ 2,970
25	For Repairs and Equipment.....	\$ 3,200

(Total for Psychopathic Institute, \$109,450.)

27 TO THE JACKSONVILLE STATE HOSPITAL:

28	For Salaries and Wages.....	\$ 445,594
29	For Office Expenses.....	\$ 5,200
30	For Travel	\$ 8,680
31	For Operation	\$ 462,902
32	For Repairs and Equipment.....	\$ 115,663
33	For Contingencies	\$ 2,000
34	(Total for Jacksonville State Hospital, \$1,040,039.)	

35 TO THE ANNA STATE HOSPITAL:

36	For Salaries and Wages.....	\$ 423,090
37	For Office Expenses.....	\$ 4,680
38	For Travel	\$ 5,000
39	For Operation	\$ 439,038
40	For Repairs and Equipment.....	\$ 103,442
41	For Contingencies	\$ 2,000
42	(Total for Anna Sate Hospital, \$977,250.)	

43 TO THE WATERTOWN STATE HOSPITAL:

44	For Salaries and Wages.....	\$ 432,184
45	For Office Expenses.....	\$ 3,000
46	For Travel	\$ 5,200
47	For Operation	\$ 415,679
48	For Repairs and Equipment.....	\$ 102,592
49	For Contingencies	\$ 2,000
50	(Total for Watertown State Hospital, \$960,655.)	

51 TO THE PEORIA STATE HOSPITAL:

52	For Salaries and Wages.....	\$ 451,184
53	For Office Expenses.....	\$ 3,800
54	For Travel	\$ 5,000

55	For Operation	\$ 603,191
56	For Repairs and Equipment.....	\$ 109,306
57	For Contingencies	\$ 2,000

58 (Total for Peoria State Hospital, \$1,174,481.)

59 TO THE CHESTER STATE HOSPITAL:

61	For Salaries and Wages.....	\$ 91,800
62	For Office Expenses.....	\$ 800
63	For Travel	\$ 800
64	For Operation	\$ 66,900
65	For Repairs and Equipment.....	\$ 13,052
66	For Returning Escapes.....	\$ 1,000
67	For Contingencies	\$ 1,000

68 (Total for Chester State Hospital, \$175,352.)

69 TO THE CHICAGO STATE HOSPITAL:

70	For Salaries and Wages.....	\$ 788,392
71	For Office Expenses.....	\$ 8,600
72	For Travel	\$ 10,800
73	For Operation	\$ 850,278
74	For Repairs and Equipment.....	\$ 203,626
75	For Contingencies	\$ 2,000

76 (Total for Chicago State Hospital, \$1,863,696.)

77 TO THE ALTON STATE HOSPITAL:

78	For Salaries and Wages.....	\$ 200,000
79	For Office Expenses.....	\$ 3,700
80	For Travel	\$ 3,000
81	For Operation	\$ 278,080
82	For Repairs and Equipment.....	\$ 47,923
83	For Contingencies	\$ 2,000

84 (Total for Alton State Hospital, \$534,703.)

85 TO THE DIXON STATE HOSPITAL FOR EPILEPTICS AND DIXON
86 STATE COLONY FOR FEEBLE-MINDED:

87 For Salaries and Wages.....	\$ 166,170
88 For Office Expenses.....	\$ 2,400
89 For Travel	\$ 3,000
90 For Operation	\$ 175,044
91 For Repairs and Equipment.....	\$ 150,786
92 For Contingencies	\$ 2,000
93 (Total for Dixon State Hospital for Epileptics and Dixon State Colony for Fee-	
94 ble-Minded, \$499,400.)	

95 TO THE LINCOLN STATE SCHOOL AND COLONY:

96 For Salaries and Wages.....	\$ 455,220
97 For Office Expenses.....	\$ 3,800
98 For Travel	\$ 5,600
99 For Operation	\$ 593,241
100 For Repairs and Equipment.....	\$ 98,278
101 For Contingencies	\$ 2,000
102 (Total for Lincoln State School and Colony, \$1,158,139.)	

103 TO THE ILLINOIS SCHOOL FOR THE DEAF:

104 For Salaries and Wages.....	\$ 323,064
105 For Office Expenses.....	\$ 1,750
106 For Travel	\$ 3,100
107 For Operation	\$ 122,192
108 For Repairs and Equipment.....	\$ 55,187
109 For Contingencies	\$ 2,000
110 (Total for Illinois School for Deaf, \$507,293.)	

111 TO THE ILLINOIS SCHOOL FOR THE BLIND:

112 For Salaries and Wages.....	\$ 161,950
113 For Office Expenses.....	\$ 2,600

114	For Travel	\$	5,000
115	For Operation	\$	63,771
116	For Repairs and Equipment.....	\$	35,138
117	For Contingencies	\$	1,000
118	For Free Circulating Library for the Blind	\$	4,000
119	(Total for Illinois School for Blind, \$273,459.)		

120 TO THE ILLINOIS INDUSTRIAL HOME FOR THE BLIND:

121	For Salaries and Wages.....	\$	38,848
122	For Office Expenses.....	\$	1,670
123	For Travel	\$	200
124	For Operation	\$	27,995
125	For Repairs and Equipment.....	\$	11,700
126	For Contingencies	\$	1,000
127	(Total for Illinois Industrial Home for Blind, \$81,413.)		

128 TO THE ILLINOIS SOLDIERS' AND SAILORS' HOME:

129	For Salaries and Wages.....	\$	311,994
130	For Office Expenses.....	\$	1,600
131	For Travel	\$	500
132	For Operation	\$	317,977
133	For Repairs and Equipment.....	\$	95,966
134	For Contingencies	\$	2,000
135	(Total for Illinois Soldiers' and Sailors' Home, \$730,037.)		

136 TO THE SOLDIERS' WIDOWS' HOME OF ILLINOIS:

137	For Salaries and Wages.....	\$	40,920
138	For Office Expenses.....	\$	1,320
139	For Travel	\$	400
140	For Operation	\$	36,172

141	For Repairs and Equipment.....	\$ 17,240
142	For Contingencies	\$ 1,000
143	(Total for Soldiers' Widows' Home of Illinois, \$97,052.)	

144 TO THE ILLINOIS SOLDIERS' ORPHANS' HOME:

145	For Salaries and Wages.....	\$ 172,916
146	For Office Expenses.....	\$ 2,000
147	For Travel	\$ 1,300
148	For Operation	\$ 183,414
149	For Repairs and Equipment.....	\$ 43,534
150	For Contingencies	\$ 2,000
151	(Total for Illinois Soldiers' Orphans' Home, \$405,164.)	

152 TO THE ILLINOIS CHARITABLE EYE AND EAR INFIRMARY:

153	For Salaries and wages.....	\$ 155,240
154	For Office Expenses.....	\$ 2,900
155	For Travel	\$ 11,650
156	For Operation	\$ 80,023
157	For Repairs and Equipment.....	\$ 8,650
158	For Contingencies	\$ 1,000
159	(Total for Illinois Charitable Eye and Ear Infirmary, \$259,463.)	

160 TO THE STATE TRAINING SCHOOL FOR GIRLS:

161	For Salaries and Wages.....	\$ 184,640
162	For Office Expenses.....	\$ 3,800
163	For Travel	\$ 6,000
164	For Operation	\$ 162,945
165	For Repairs and Equipment.....	\$ 44,725
166	For Contingencies	\$ 2,000
167	(Total for State Training School for Girls, \$404,110.)	

168 TO THE ST. CHARLES SCHOOL FOR BOYS:

169	For Salaries and Wages.....	\$ 293,720
170	For Office Expenses.....	\$ 6,400
171	For Travel	\$ 11,000
172	For Operation	\$ 378,378
173	For Repairs and Equipment.....	\$ 80,832
174	For Contingencies	\$ 2,000
175	(Total for St. Charles School for Boys, \$772,330.)	

176 TO THE ILLINOIS STATE PENITENTIARY:

177	For Salaries and Wages.....	\$ 432,682
178	For Office Expenses.....	\$ 6,100
179	For Travel	\$ 6,200
180	For Operation	\$ 643,854
181	For Repairs and Equipment.....	\$ 56,250
182	For Returning Escapes.....	\$ 6,000
183	For Contingencies	\$ 2,000
184	(Total for Illinois State Penitentiary, \$1,153,086.)	

185 TO THE SOUTHERN ILLINOIS PENITENTIARY:

186	For Salaries and Wages.....	\$ 278,800
187	For Office Expenses.....	\$ 6,200
188	For Travel	\$ 8,000
189	For Operation	\$ 425,660
190	For Repairs and Equipment.....	\$ 66,154
191	For Returning Escapes.....	\$ 4,000
192	For Contingencies	\$ 2,000
193	(Total for Southern Illinois Penitentiary, \$790,814.)	

194 TO THE ILLINOIS STATE REFORMATORY:

195	For Salaries and Wages.....	\$ 262,000
196	For Office Expenses.....	\$ 7,470

197 For Travel	\$ 7,000
198 For Operation	\$ 409,618
199 For Repairs and Equipment.....	\$ 66,662
200 For Returning Escapes.....	\$ 4,000
201 For Contingencies	\$ 2,000
202 (Total for Illinois State Reformatory, \$758,750.)	

203 TO THE ILLINOIS WOMAN'S PRISON:

204 For Salaries and Wages.....	\$ 38,100
205 For Office Expenses.....	\$ 500
206 For Travel	\$ 500
207 For Operation	\$ 21,368
208 For Repairs and Equipment.....	\$ 9,720
209 For Contingencies	\$ 1,000
210 (Total for Illinois Woman's Prison, \$71,188.)	

211 TO THE ILLINOIS STATE FARM:

212 For Salaries and Wages.....	\$ 61,860
213 For Office Expenses.....	\$ 1,200
214 For Travel	\$ 1,000
215 For Operation	\$ 50,875
216 For Repairs and Equipment.....	\$ 8,720
217 For Contingencies	\$ 2,000
218 (Total for Illinois State Farm, \$125,655.)	

219 TO THE CENTRAL GROUP HOSPITALS:

220 For Salaries and Wages.....	\$ 20,000
221 For Office Expenses.....	\$ 2,000
222 For Travel	\$ 1,000
223 For Operation	\$ 25,000

224	For Repairs and Equipment.....	\$ 75,000
225	For Contingencies	\$ 1,000
226	(Total for Central Group Hospitals, \$124,000.)	

227 TO THE CRIMINOLOGIST:

228	For Salaries and Wages.....	\$ 123,200
229	For Office Expenses.....	\$ 1,500
230	For Travel	\$ 4,000
231	For Operation	\$ 3,300
232	For Repairs and Equipment.....	\$ 17,035
233	(Total for Criminologist, \$149,035.)	

Sec. 3. There is appropriated to the Department of Public Works and
 2 Buildings, payable from the general revenue fund, for permanent improve-
 3 ments and land at the several State charitable, penal and reformatory insti-
 4 tutions, until the expiration of the first fiscal quarter after the adjournment of
 5 the next General Assembly, the sum of two million, two hundred forty-five
 6 thousand, two hundred dollars (\$2,245,200) to be apportioned among the sev-
 7 eral institutions as follows:

8 FOR PERMANENT IMPROVEMENTS.

9	To the Elgin State Hospital.....	\$ 125,100
10	To the Kankakee State Hospital.....	\$ 48,000
11	To the Jacksonville State Hospital.....	\$ 50,500
12	To the Anna State Hospital.....	\$ 88,000
13	To the Watertown State Hospital.....	\$ 55,600
14	To the Peoria State Hospital.....	\$ 41,500
15	To the Chicago State Hospital.....	\$ 109,700
16	To the Alton State Hospital.....	\$ 32,500
17	To the Dixon State Hospital for Epileptics and Dixon State Colony 18 for Feeble-Minded.....	\$ 459,000

19	To the Lincoln State School and Colony.....	\$ 81,000
20	To the Illinois School for the Deaf.....	\$ 3,000
21	To the Illinois School for the Blind.....	\$ 50,100
22	To the Illinois Soldiers' and Sailors' Home.....	\$ 50,500
23	To the Soldiers' Widows' Home of Illinois.....	\$ 52,000
24	To the Illinois Soldiers' Orphans' Home.....	\$ 122,000
25	To the State Training School for Girls.....	\$ 41,500
26	To the St. Charles School for Boys.....	\$ 38,900
27	To the Southern Illinois Penitentiary.....	\$ 123,000
28	To the Illinois State Reformatory.....	\$ 27,300
29	To the Central Group Hospitals.....	\$ 500,000
30	Total for Permanent Improvements.....	<u>\$2,099,200</u>

31 FOR LAND.

32	To the Soldiers' Widows' Home of Illinois.....	\$ 1,000
33	To the St. Charles School for Boys.....	\$ 45,000
34	To the Illinois Home for the Rehabilitation of World War Veterans.....	\$ 100,000
35	Total for Land.....	<u>\$ 146,000</u>

Sec. 4. Before any contracts are awarded or indebtedness incurred for Per-
 2 manent Improvements provided for in this Act, all plans and specifications
 3 covering said improvements and all subsequent modifications thereof must have
 4 the written approval of the Department of Public Welfare.

Sec. 5. The Department of Public Welfare, with the consent in writing of
 2 the Department of Finance, may apportion the amounts stated in the several
 3 items in this Act, (except in the items "Permanent Improvements" and
 4 "Land") among the several State charitable, penal and reformatory institu-
 5 tions according to the varying needs of such institutions, not changing, how-
 6 ever, the objects and purposes for which such appropriations are made.

Sec. 6. There is appropriated to the Department of Public Welfare for additional dairy cattle and the replacement of dairy cattle for the State institutions, payable from the general revenue fund of the State, the sum of thirty thousand dollars (\$30,000) to be used according to the varying needs of such institutions.

Sec. 7. There is appropriated to the Department of Public Welfare for working capital, payable from the working fund in the State treasury for the industries at the Illinois State Penitentiary, Southern Illinois Penitentiary, Illinois State Reformatory, Illinois Woman's Prison, Illinois State Farm, Lincoln State School and Colony, Illinois Charitable Eye and Ear Infirmary, and the Illinois Industrial Home for the Blind, the sum of two million dollars (\$2,000,000).

Sec. 8. Out of the appropriations made in an Act entitled, "An Act making appropriations to the State charitable, penal and reformatory institutions," approved June 17, 1919, in force July 1, 1919, to the following charitable and penal institutions there is hereby reappropriated to the Department of Public Welfare for such institutions, the following unexpended balances of these appropriations on May 24, 1921:

TO THE ELGIN STATE HOSPITAL.

For Permanent Improvements.....\$ 75,482.07

TO THE JACKSONVILLE STATE HOSPITAL.

For Permanent Improvements.....\$ 28,666.28

For Land.....\$ 40,000.00

TO THE ANNA STATE HOSPITAL.

For Permanent Improvements.....\$100,606.93

TO THE WATERTOWN STATE HOSPITAL.

For Permanent Improvements.....\$ 20,729.97

16	TO THE CHICAGO STATE HOSPITAL.	
17	For Permanent Improvements.....	\$ 48,119.89
18	For New Sewer Outlet.....	\$ 20,000.00
19	TO THE ALTON STATE HOSPITAL.	
20	For Permanent Improvements.....	\$436,776.23
21	TO THE DIXON STATE HOSPITAL FOR EPILEPTICS.	
22	For Permanent Improvements.....	\$239,537.04
23	TO THE DIXON STATE COLONY FOR FEEBLE-MINDED.	
24	For Permanent Improvements.....	\$336,113.06
25	TO THE INDUSTRIAL HOME FOR THE BLIND.	
26	For Rewiring Main Building.....	\$ 2,500.00
27	TO THE ILLINOIS SOLDIERS' ORPHANS' HOME.	
28	For Permanent Improvements.....	\$ 77,333.23
29	For Cottage.....	\$ 19,595.08
30	TO THE ILLINOIS CHARITABLE EYE AND EAR INFIRMARY.	
31	For Buildings.....	\$308,757.34
32	TO THE STATE TRAINING SCHOOL FOR GIRLS.	
33	For Permanent Improvements.....	\$ 49,408.71
34	TO THE ST. CHARLES SCHOOL FOR BOYS.	
35	For Permanent Improvements.....	\$ 46,567.37
36	TO THE ILLINOIS STATE REFORMATORY.	
37	For Contribution to Cost of Septic Tank.....	\$ 5,000.00
38	TO THE ILLINOIS STATE FARM.	
39	For Permanent Improvements.....	\$ 66,684.20

TO THE PSYCHOPATHIC HOSPITAL.

40

41 For Permanent Improvements.....\$ 21,447.04

Sec. 9. Out of the appropriations made in an Act entitled, "An Act making appropriations for the Illinois Surgical Institute for Children," approved May 15, 1919, and in force July 1, 1919, there is hereby reappropriated to such institution, the unexpended balance of \$44,373.21 on May 24, 1921.

Sec. 10. Out of the appropriation "For Operation and Repairs" for the period ending June 30, 1921, which is provided for in an "Act making additional appropriations to the Department of Public Welfare for State charitable, penal and reformatory institutions," approved March 17, 1921, there is hereby reappropriated \$734,955.60 of the unexpended balance of such an appropriation on May 24, 1921, or so much thereof as may be necessary, to pay a fractional part of the pay rolls of the operating forces of officers and employes in these institutions for the month of June, 1921.

Sec. 11. The appropriations herein made shall be subject to all the provisions, conditions and limitations of an Act entitled, "An Act in relation to State finance," approved June 10, 1919, in force July 1, 1919.



1 Adopted June 3, 1921.

AMENDMENT NO. 1.

Amend printed House Bill No. 837, on page 1, in section 1, line 7, by striking out the words "ninety-one thousand" and inserting in lieu thereof the words "one hundred and sixty-one thousand."

AMENDMENT NO. 2.

Amend printed House Bill No. 837, on page 1, in section 1, lines 7 and 8, by striking out the figures "(18,091,927)" and inserting in lieu thereof the figures "(18,161,927)"

AMENDMENT NO. 3.

Amend printed House Bill No. 837, on page 1, in section 1, line 13, by striking out the figures "\$1,925,259" and inserting in lieu thereof the figures \$1,1,995,259."

AMENDMENT NO. 4.

Amend printed House Bill No. 837, on page 2, in section 2, line 17, by striking out the figures "\$161,348" and inserting in lieu thereof the figures "231,348"

AMENDMENT NO. 5.

Amend printed House Bill No. 837, on page 2, in section 2, line 19, by striking out the figures "\$1,783,657" and inserting in lieu thereof the figures "\$1,853,657"

AMENDMENT NO. 6.

Amend printed House Bill No. 837, on page 10, in section 3, line 5, by striking out the words "two hundred" and inserting in lieu thereof the words "seven hundred"

AMENDMENT NO. 7.

Amend printed House Bill No. 837, on page 10, in section 3, line 6, by striking out the figures "\$2,245,200" and inserting in lieu thereof the figures "\$2,745,200"

AMENDMENT NO. 8.

Amend printed House Bill No. 837, on page 11, in section 3, line 29, by striking out the figures "\$500,000" and inserting in lieu thereof the figures "\$1,000,000"

AMENDMENT NO. 9.

Amend printed House Bill No. 837, on page 11, in section 3, line 30, by striking out the figures "\$2,099,200" and inserting in lieu thereof the figures "\$2,599,200"



1 Offered June 16, 1921.

2 Ordered printed.

Mr. Spence. Adopted.

AMENDMENT NO. 1.

Amend House Bill No. 837 as printed in the Senate, in Section 1, page 3,

2 by adding line 40 $\frac{1}{2}$, "For Buildings—\$1500."

Mr. Spence. Adopted.

AMENDMENT NO. 2.

Amend House Bill No. 837 as printed in the Senate, in Section 1, page 3,

2 line 42, by striking out the figures "\$977,250," and inserting in lieu thereof

3 the figures "\$978,750."

Mr. Spence. Adopted.

AMENDMENT NO. 3.

Amend House Bill No. 837 as printed in the Senate, by adding on page 9,

2 Section 2, line 99 $\frac{1}{2}$, as follows:

3 "For building cattle feeding barn..... \$5,000"

Mr. Hanson. Adopted.

AMENDMENT NO. 4.

Amend House Bill No. 837 as printed in the Senate, on page 7, Section 2,

2 by inserting line 150 $\frac{1}{2}$, as follows:

3 "Six cottages for boys..... \$120,000"

Mr. Lantz. Adopted.

AMENDMENT NO. 5.

Amend printed House Bill No. 837 in Senate by striking out on page 13,
2 Section 8, line 37, the figures "\$5,000" and insert in lieu thereof the figures
3 "\$8500."

Mr. Hanson. Adopted.

AMENDMENT NO. 6.

Amend printed House Bill No. 837 in Senate by striking out on page 7, in
2 Section 2, line 159, the character and figures "\$259,463.00" and insert in lieu
3 thereof the character and figures "\$379,463.00."

Mr. Glenn. Adopted.

AMENDMENT NO. 7.

Amend printed House Bill No. 837 in Senate by inserting after the word
2 "contingencies" on page 8, in Section 2, line 192, the following: "for protec-
3 tion of State lands from destruction and overflow by the Mississippi River."



- 1 Introduced by Mr. Pierce, May 24, 1921.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act to create a commission to investigate the cost of construction of buildings, to define the powers and duties of said commission and making an appropriation therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That the Illinois Building Investigation
3 Commission is hereby created. The said commission shall consist of fourteen
4 (14) members, each of whom shall have been a member of the Joint Legisla-
5 tive Committee of the Fifty-second General Assembly, created under and by vir-
6 tue of Senate Joint Resolution No. 9, appointed March 23, 1921. The chairman
7 of said committee shall be the chairman of the commission hereby created.

Sec. 2. No member of said commission shall receive any compensation di-
2 rectly or indirectly for his services, but each member thereof shall be entitled
3 to and allowed his actual expenses incurred in the performance of his duties as
4 such member.

Sec. 3. It shall be the duty of the said commission to inquire into the cost of the construction of dwellings and other buildings in the State of Illinois; to make a careful investigation as to the existence of combinations, agreements, methods, practices and devices among builders, contractors, producers of building material, material men, labor skilled and unskilled, and others, which may result in increasing, maintaining or decreasing the cost of construction of dwelling houses and other buildings; to examine into the cost of producing, distributing and transporting building material and the profits derived by the producers, distributors and dealers of or in any such material; and into all devices or practices by which the prices of such material may be fixed or affected; to inquire into the compensation to labor in the production and distribution of building material and in the construction of dwellings or other buildings.

The said commission is hereby invested with full power and authority to perform the aforesaid duties and the specific enumeration herein of the duties of said commission shall in no way limit the full authority of the commission to investigate any and all matters entering into the cost of dwellings or other buildings. The said commission shall report its conclusions, findings and recommendations to the Governor as expeditiously as may be and not later than the fifteenth day of December, 1922, including such recommendations as to legislation concerning the matters examined into by such commission as it may deem necessary, and shall file with the Secretary of State for the use of the General Assembly a copy of such report and recommendation.

Sec. 4. For the purpose of conducting such investigation the said commission is hereby authorized and empowered to compel witnesses to appear and testify before it and to produce before it for examination by said commission or by any persons duly authorized by it, books, papers, documents, memoranda and things related to any matter within the duty of said commission to investigate, and for that purpose the said commission shall have full power to issue

7 subpœnas and subpœnas *duces tecum*, which shall be as near as may be in the
8 form of subpœnas issued by circuit courts and which shall be signed by the
9 chairman of the said commission. Each member of the said commission shall
10 have power to administer oaths to witnesses. In case any person shall fail or
11 refuse to obey such subpœna it shall be the duty of said commission, through
12 its chairman, to make application to the circuit court of any county wherein such
13 person is by such subpœna directed to appear and testify or directed to produce
14 evidence of any kind whatever, setting forth the issue and service of such sub-
15 pœna and the failure or refusal of the person or persons to obey the same and
16 requesting such court to compel such person, so charged with failing or re-
17 fusing to obey such subpœna, to appear before such court and show lawful cause
18 for such failure or refusal. Upon the filing of such application with the clerk
19 of such court, it shall be the duty of the judge thereof, either in term time or
20 vacation, to forthwith enter an order of record requiring such person to appear
21 before such court at a time stated in said order within three days from the
22 entry of such order, and show cause why he should not be required to obey
23 such subpœna and upon failure to show cause it shall be the duty of the court
24 to order such witness to appear before the said commission and give such tes-
25 timony or produce such evidence as may be lawfully required by said commis-
26 sion. The circuit court, either in term time or vacation, shall have full power
27 to punish for contempt as in other cases of refusal to obey the process and
28 order of such court.

Sec. 5. No person shall be excused from attending and testifying, or from
2 producing any written or printed evidence or any documentary evidence before
3 the said commission in obedience to a subpœna, on the ground or for the reason
4 that the testimony or evidence, documentary or otherwise, required of him may
5 tend to incriminate him or subject him to a penalty or forfeiture. But no nat-
6 ural person shall be prosecuted or subjected to any penalty or forfeiture for,
7 or on account of, any transaction, matter or thing concerning which he may
8 testify or produce evidence, documentary or otherwise, in obedience to such sub-

9 pœna: *Provided*, that no natural person so testifying shall be exempt from
10 prosecution and punishment for perjury committed in so testifying.

Sec. 6. The said commission is hereby authorized to employ such assist-
2 ance as may be required for the performance of its duties, including clerical,
3 statistical, technical and accounting experts. Legal advice, counsel and assist-
4 ance shall be furnished to the said commission by the Attorney General.

Sec. 7. There is hereby appropriated to the said commission the sum of
2 fifty thousand dollars (\$50,000.00), or so much thereof as may be necessary,
3 for the purpose of carrying out the provisions of this Act. The Auditor of
4 Public Accounts is hereby authorized and directed to draw warrants on the
5 State Treasurer for the foregoing amount or any part thereof upon the presen-
6 tation of itemized vouchers certified to as correct by the chairman of said
7 commission.



- 1 Introduced by Mr. Healy, May 25, 1921.
- 2 Read by title, ordered printed and referred to Committee on Insurance.

A BILL

For an Act relating to the publication, issuance or distribution of advertisements, circulars, pamphlets or papers showing the financial condition or assets of insurance companies.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That no insurance company organized
3 under the laws of this State, or authorized to transact business herein, nor
4 any of its officers, agents or employes, shall publish or issue or distribute in
5 this State any advertisement, circular, pamphlet or paper showing the financial
6 condition of such company or giving the amount of its assets, unless there
7 shall be attached to and made a part thereof a detailed statement, under the
8 caption "Foreign Securities," showing separately from all other assets (1)
9 the location, character, cost price, book value and market value of all real estate
10 owned by said company and located in a foreign country; (2) the description
11 of each kind of bond, note, stock or other security owned by it (or securing, as
12 collateral, notes owned by it) and issued by a foreign government, or by a per-

13 son, firm or corporation residing in a foreign country, or secured by property
14 located in a foreign county, and giving as to each kind of such security, the par
15 value, the cost price, the book value and the market value of all of the same so
16 owned or deposited as collateral, and the name of the government by which, or
17 the country in which, the same is issued or the property is located securing
18 the same. In the case of collateral loans so secured, the amount of each loan
19 shall also be stated.

Sec. 2. Any person violating any of the provisions of this Act shall be
2 punished for each offense by a fine of not less than one thousand dollars and
3 not more than five thousand dollars, or by imprisonment in the county jail for
4 not more than one year, or by both fine and imprisonment, as may be deter-
5 mined by the court. Each act of publishing, mailing or delivering an adver-
6 tisement, circular, pamphlet or paper forbidden by the provisions of this Act
7 shall constitute a separate offense. If a company not organized under the laws
8 of this State, but doing business herein, shall violate the provisions of this Act,
9 it shall be the duty of the Director of Trade and Commerce to cancel the license
10 of such company to transact business in this State, and said company shall not
11 be relicensed to do business in this State for a period of one year after the date
12 of such cancellation.



1 Introduced by Mr. Healy, May 25, 1921.

2 Read by title, ordered printed and referred to Committee on Insurance.

A BILL

For an Act to forbid the doing of business in this State by life insurance companies organized in States requiring higher valuation of policies of non-resident companies licensed to do business therein than are required in this State.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That on and after July 1st, 1922, no life
3 insurance company organized under the laws of another state shall be licensed
4 or permitted to do business in this State, if under the laws of the state in which
5 such company is incorporated, or by the rules and regulations lawfully estab-
6 lished or imposed by any official of such state, a minimum standard for the val-
7 uation of policies is established as a prerequisite for the admission or licensing
8 to do business in said state of companies incorporated under the laws of this
9 State, the effect of which minimum standard is to require the ownership or pos-
10 session of funds in excess of those required by the laws of this State to qualify
11 a company to issue new policies in this State.



- 1 Introduced by Mr. Young, May 25, 1921.
- 2 Read by title, ordered printed and referred to Committee on Revenue.

A BILL

For an Act to amend section 211 of an Act entitled, “An Act for the assessment of property and for the levy and collection of taxes,” approved March 30, 1872, in force July 1, 1872, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 211 of an Act entitled, “An Act for the assessment of property and for the levy and collection of taxes,” approved March 30, 1872, in force July 1, 1872, as amended, be and the same is hereby further amended to read as follows:

Sec. 211. If any purchaser of real estate sold for taxes or special assessments shall suffer the same to be forfeited to the State, or again sold for taxes or special assessments, *or if the same shall be withdrawn from collection at a subsequent annual tax sale in default of bidders*, before the expiration of the last day of the second annual sale thereafter, such purchaser shall not be entitled to a deed for such real property until the expiration of a like term from the date of the second sale, *forfeiture or withdrawal*, during which time the

8 land shall be subject to redemption upon the terms and conditions prescribed
9 in this Act; but the person redeeming shall only be required to pay for the use
10 of such first purchaser the amount paid by him. The second purchaser, if any,
11 shall be entitled to the redemption money, as provided for in the preceding
12 section; *Provided, however*, it shall not be necessary for any municipal corpor-
13 ation which shall bid in it's own delinquent special assessments, at any sale, in
14 default of other bidders, to protect the property from subsequent forfeitures,
15 sales or *withdrawals*, as above required in this section.



- 1 Introduced by Mr. Frisch, May 25, 1921.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act making an appropriation to Fay Hunsley on account of the death of
Glen W. Hunsley.

WHEREAS, Glen W. Hunsley, while in the employ of the State of Illinois,
2 Department of Public Works and Buildings, Division of Highways, Bureau of
3 Machinery, sustained an accidental injury, rising out of and in the course of
4 his employment from which injury he died on the same day, and

5 WHEREAS, The Director of the Department of Public Works and Buildings
6 has requested the Industrial Commission to hear the cause and determine the
7 party or parties to whom the compensation should be made and determine the
8 amount of compensation which would be due under the Workmen's Compensa-
9 tion Act of Illinois, and

10 WHEREAS, the Industrial Commission, after hearing the evidence, advises that
11 the deceased left in surviving a widow, Fay Hunsley, and two children, Lyle
12 Hunsley, aged five years, and Ivan Hunsley, aged three years, and that accord-
13 ing to the terms of the Workmen's Compensation Act of Illinois, Fay Hunsley

14 is entitled to a compensation to the amount of four thousand dollars (\$4,000)
15 for the support of herself and children, and

16 WHEREAS, the accidental death of the said Glen W. Hunsley occurred after
17 the adjournment of the Court of Claims, which Court cannot pass on this claim
18 in such time as will enable the widow to receive the compensation provided by
19 law before the session of the General Assembly to be held in 1923, therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That there is hereby appropriated to
3 the Department of Public Works and Buildings the sum of four thousand dol-
4 lars (\$4,000) to be paid as follows:

5 Upon the execution of proper receipt and for waivers of claim the sum of
6 fifteen hundred dollars (\$1,500) shall be disbursed to Fay Hunsley, widow of
7 Glen W. Hunsley, deceased and the sum of twenty-five hundred dollars
8 (\$2,500) shall be paid to Fay Hunsley, guardian for Lyle and Ivan Hunsley, her
9 children, upon the issuance of proper letters of guardianship.

Sec. 2. The appropriation herein made is subject to "An Act in Relation
2 to State Finance", approved June 10, 1919, in force July 1, 1919.

AMENDMENT TO

52d G. A.

HOUSE BILL NO. 842

1921



1 Adopted June 3, 1921.

AMENDMENT NO. 1.

Amend printed ouse Bill No. 842, on page 2, Section 1, line 3, by adding
2 after the word "Buildings" the words "payable from the Road Fund."

UNIVERSITY OF ILLINOIS LIBRARY

JAN 26 1922





1 Introduced by Mr. Tice, May 25, 1921.

2 Read by title, ordered printed and referred to Committee on Roads and Bridges.

A BILL

For an Act to amend Section 4 of an Act entitled, "An Act in relation to the construction and maintenance of rural roads under and in accordance with an Act of Congress entitled, 'An Act to provide that the United States shall aid the states in the construction of rural post roads, and for other purposes.' " approved July 11, 1916, and known as the Federal Aid Road Act.

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* That Section 4 of an Act entitled, "An
3 Act in relation to the construction and maintenance of rural post roads under
4 and in accordance with an Act of Congress entitled, 'An Act to provide that the
5 United States shall aid in the states in the construction of rural post roads,
6 and for other purposes,' " approved July 11, 1916, and known as the Federal
7 Aid Road Act, is hereby amended to read as follows:

Sec. 4. All sums of money which may have accrued or may hereafter ac-
2 crue to the State of Illinois under the provisions of Acts of Congress now in
3 force or that may hereafter be enacted providing that the United States shall

4 aid the states in the construction of roads and whenever any portion of said
5 money shall be received by the State Treasurer it shall immediately be placed
6 to the credit of the special fund in the State Treasury known as the "Road
7 Fund". Any balance in the Federal Aid Road Fund in the State Treasury on
8 July 1, 1921 shall be transferred to the said Road Fund.



- 1 Introduced by Mr. Noonan, May 26, 1921.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act for the relief of Joseph Ryan, and making an appropriation therefor.

WHEREAS, On September 15, 1916, Joseph Ryan, then a prisoner in the Illinois State Penitentiary at Joliet, was seriously injured while engaged in duties assigned him by the officials of such institution, such duties being carried on under the supervision of said officials; and

WHEREAS, Such injury was caused by the negligent operation of inefficient equipment of a narrow gauge railroad at such institution; and

WHEREAS, The said Joseph Ryan lost one arm and one leg as a result of such injury, and was thereby rendered totally incapacitated; and

WHEREAS, The Court of Claims has denied the claim of the said Joseph Ryan for compensation, on the ground that, in conducting such penitentiary, the State was exercising a governmental function, and not that of employer, and was not liable in damages; now, therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* The sum of three thousand five hundred dollars is appropriated for the relief of the said Joseph Ryan.

Sec. 2. The Auditor of Public Accounts is directed to draw his warrant
2 upon the State Treasurer in favor of said Joseph Ryan for the sum herein ap-
3 propriated.



- 1 Introduced by Committee on Appropriations, June 2, 1921.
- 2 Read at large a first time, ordered printed and to a second reading.

A BILL

For an Act to amend Sections 35 and 49 of "The Civil Administrative Code of Illinois," approved March 7, 1917, in force July 1, 1917, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Sections 35 and 49 of "The Civil
3 Administrative Code of Illinois," approved March 7, 1917, in force July 1, 1917,
4 as amended, are amended to read as follows:

Sec. 35. The following offices, boards, commissions, arms, and agencies of
2 the State government heretofore created by law, are hereby abolished, viz:
3 Superintendent of printing, board of live stock commissioners, secretary of the
4 board of live stock commissioners, State veterinarian, board of veterinary ex-
5 aminers, stallion registration board, secretary of the stallion registration board,
6 board of examiners of horseshoers, secretary of the board of examiners of
7 horseshoers, State inspector of apiaries, State game and fish commission, game
8 and fish wardens, deputy game and fish wardens, advisory board of managers
9 of free employment offices, local boards of managers of free employment offices,

10 general superintendent of free employmnt offices in each city having a population
 11 of one million or over, department superintendent of free employment offices in
 12 each city having a population of one million or over, assistant department super-
 13 intendants of free employment offices in each city having a population of one
 14 million or over, clerks of free employment offices in free employment offices in
 15 each city having a population of one million or over, superintendent of free em-
 16 ployment offices in cities of less than one million population, assistant superin-
 17 tendents of free employment offices in cities of less than one million population,
 18 clerks of free employment offices in cities of less than one million population,
 19 chief inspector of private employment agencies, assistant inspectors of private
 20 employment agencies, chief State factory inspector, assistant chief factory in-
 21 spector, physician for chief State factory inspector, deputy factory inspectors,
 22 State board of arbitration and conciliation, secretary of the State board of
 23 arbitration and conciliation, the industrial board, secretary of the industrial
 24 board, State mining board, chief clerk of the State mining board, State mine
 25 inspectors, miners' examining commissioners, constituting the miners' examin-
 26 ing board, mine fire fighting and rescue station commission, superintendents of
 27 mine fire fighting and rescue stations, assistant superintendents of mine fire
 28 fighting and rescue stations, State highway department, the State highway com-
 29 mission, chief State highway engineer, assistant State highway engineer, the
 30 canal commissioners, rivers and lakes commission, Illinois waterway commis-
 31 sion, Illinois park commission, Fort Massac trustees, Lincoln homestead trustees,
 32 board of commissioners of and for the Lincoln monument grounds, State board
 33 of examiners of architects, State board of examiners of structural engineers,
 34 secretary of the State board of examiners of structural engineers, secretary-
 35 treasurer of the State board of examiners of architects, State inspector of
 36 masonry, public buildings and works, assistant State inspectors of masonry,
 37 public buildings and works, the board of administration, State deportation
 38 agent, assistant State deportation agent, State agent for visitation of children
 39 placed in family homes, commissioners of the Illinois State penitentiary, warden

40 of the Illinois State penitentiary, deputy warden of the Illinois State peniten-
41 tiary, chaplains of the Illinois State penitentiary, physician of the Illinois State
42 penitentiary, steward of the Illinois State penitentiary, matron of the Illinois
43 State penitentiary, the commissioners of the southern Illinois penitentiary,
44 warden of the southern Illinois penitentiary, deputy warden of the southern Illi-
45 nois penitentiary, chaplains of the southern Illinois penitentiary, physician of the
46 southern Illinois penitentiary, steward of the southern Illinois penitentiary,
47 matron of the southern Illinois penitentiary, board of managers of Illinois State
48 reformatory, general superintendent of the Illinois State reformatory, chaplain
49 of the Illinois State reformatory, physician of the Illinois State reformatory,
50 the board of prison industries of Illinois, the board of classification, board of
51 pardons, clerk of the board of pardons, stenographer of the board of pardons,
52 State board of health, secretary and executive officer of the State board of
53 health, board of pharmacy, secretary of the board of pharmacy, Illinois State
54 board of dental examiners, secretary of the Illinois State board of dental exami-
55 ners, Illinois State board of nurse examiners, secretary of the Illinois State
56 board of nurse examiners, State board of optometry, secretary of the State
57 board of optometry, board of barber examiners, secretary and treasurer of the
58 board of barber examiners, State food commissioner, assistant State food com-
59 missioner, State analyst, chief clerk of the State food commissioner, assistant
60 clerk of the State food commissioner, stenographers of the State food commis-
61 sioner, inspectors of the State food commissioner, bacteriologist of the State
62 food commissioner, analytical chemists of the State food commissioner, labora-
63 tory janitor for the food commissioner, food standard commission, State public
64 utilities commission, secretary of the State public utilities commission, chief
65 inspector of grain, deputy grain inspectors, deputy chief inspector of grain of
66 the East St. Louis district, warehouse registrar, assistant warehouse registrars,
67 State weighmasters, registrar of the grain inspection department, inspectors of
68 automatic couplers, power brakes and grab irons or hand holds on railroad
69 locomotives, tenders, cars and similar vehicles, insurance superintendent, State

70 fire marshal, first deputy State fire marshal, second deputy State fire marshal,
 71 chief deputy fire marshal, deputy State fire marshals, assistant fire marshals, the
 72 board of education of the State of Illinois, board of trustees of the Southern
 73 Illinois Normal University, board of trustees of the Northern Illinois State
 74 Normal School, board of trustees of the Eastern Illinois State Normal School,
 75 the board of trustees of the Western Illinois State Normal School, *and the*
 76 *Penitentiary Commission.*

Sec. 49. The department of public works and buildings shall have power :

- 2 1. To exercise the rights, powers and duties vested by law in the State
 3 highway department, the State highway commission, the chief State highway
 4 engineer, the assistant State highway engineer, and other officers and employees
 5 of the State highway service;
- 6 2. To exercise the rights, powers and duties vested by law in "The Canal
 7 Commissioners," their officers and employees;
- 8 3. To exercise the rights, powers and duties vested by law in the rivers and
 9 lakes commission of Illinois, its officers and employees;
- 10 4. To exercise the rights, powers and duties vested by law in the Illinois
 11 waterway commission, its secretary, chief engineers, its other officers and em-
 12 ployees;
- 13 5. To exercise the rights, powers and duties vested by law in the Illinois
 14 park commission, its officers and employees;
- 15 6. To exercise the rights, powers and duties vested by law in the Fort
 16 Massac trustees, their officers and employees;
- 17 7. To exercise the rights, powers and duties vested by law in the Lincoln
 18 homestead trustees, their officers and employees;
- 19 8. To exercise the rights, powers and duties vested by law in the board of
 20 commissioners of and for the Lincoln monument grounds, its officers and em-
 21 ployees;

22 8½. *To exercise the rights, powers and duties vested by law in the Peni-*
23 *tentiary Commission, its officers and employees;*

24 9. To exercise the rights, powers and duties vested by law in the superin-
25 tendent of printing, his officers and employees;

26 10. To make contracts for and superintend the telegraph and telephone
27 service for the several departments;

28 11. To purchase and supply all fuel, light, water and other like office and
29 building services for the several departments except where the same are now
30 supplied by the Secretary of State;

31 12. To procure and supply all furniture, general office equipment and gen-
32 eral office supplies (other than stationery and office supplies distributed through
33 the office of the Secretary of State) needed by the several departments;

34 13. To procure and supply all clothing, instruments and apparatus, sub-
35 sistence and provisions for the charitable, penal and reformatory institutions;

36 14. To procure and supply all cots, beds, bedding, general room and cell
37 equipment, table, kitchen and laundry equipment, agricultural implements,
38 harness, stable and garage supplies, household supplies, periodicals, machinery
39 and tools, medicines and medical supplies, plumbing, light and engine supplies,
40 wagons and other vehicles and workshop supplies needed by the several depart-
41 ments;

42 14a. To purchase and supply all necessary tools, machinery, supplies and
43 materials, to be used by the State in or about constructing or maintaining State
44 highways;

45 15. To prepare, or cause to be prepared, general plans, preliminary
46 sketches and estimates for the public buildings to be erected for any depart-
47 ment;

48 16. To have general supervision over the erection and construction of
49 public buildings erected for any department, and over the inspection of all mate-
50 rials previous to their incorporation into such buildings or work;

- 51 . . . 17. To make contracts for, and supervise the construction and repair of
52 buildings under the control of any department;
- 53 . . . 18. To prepare and suggest comprehensive plans for the development of
54 grounds and buildings under the control of any department;
- 55 . . . 19. To make and provide all drawings, plans, specifications and models, for
56 the construction and perfection of all systems of sewerage, drainage and
57 plumbing for the State in connection with the buildings and grounds under the
58 control of any department;
- 59 . . . 20. To erect, supervise and maintain all public monuments and memorials
60 erected by the State except where the supervision and maintenance thereof is
61 otherwise provided by law;
- 62 . . . 21. To lease, for a term not exceeding two years, storage accommodations
63 for the several departments;
- 64 . . . 22. To lease, for a term not exceeding two years, unproductive and unused
65 lands or other property under the control of any department, unless longer
66 leases thereof are expressly authorized by some law enforced by the depart-
67 ment;
- 68 . . . 23. To lease, for a term not exceeding two years, office space in buildings
69 for use of the several departments;
- 70 . . . 24. To have general supervision and care of storerooms and offices leased
71 for the use of the departments.



- 1 Introduced by Committee on Appropriations, June 2, 1921.
- 2 Read at large a first time, ordered printed and to a second reading.

A BILL

For an Act to re-appropriate the sum of \$186,265.42 to the University of Illinois for the purchase of land and the erection of buildings.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* There is re-appropriated to the Univer-
3 sity of Illinois, until the expiration of the first fiscal quarter after the adjourn-
4 ment of the next regular session of the General Assembly the unexpended
5 balance of \$300,000.00, appropriated by the Fifty-first General Assembly, being
6 the sum of \$186,265.42 for the purchase of land and the erection of buildings.

Sec. 2. This re-appropriation is subject to the provisions of "An Act in rela-
2 tion to State finance," approved June 10, 1919, in force July 1, 1919.



- 1 Introduced by Committee on Revenue, June 2, 1921.
- 2 Read at large a first time, ordered printed, and to a second reading.



A BILL

For an Act to amend Sections 2, 10, 11 and 16 and the title of “An Act to provide for the partial support of mothers whose husbands are dead or have become permanently incapacitated for work by reason of physical or mental infirmity when such mothers have children under fourteen years of age, and are residents of the county in which application for relief is made; and, also, to provide for the probationary visitation, care and supervision of the family for whose benefit such support is provided,” approved June 30, 1913, in force July 1, 1913, as amended, and to repeal Section 18a thereof.



SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Sections 2, 10, 11 and 16 of “An Act to
3 provide for the partial support of mothers whose husbands are dead or have
4 become permanently incapacitated for work by reason of physical or mental
5 infirmity when such mothers have children under fourteen years of age, and
6 are residents of the county in which application for relief is made; and, also,
7 to provide for the probationary visitation, care and supervision of the family

8 for whose benefit such support is provided," approved June 30, 1913, in force
9 July 1, 1913, as amended, are amended to read as follows:

Sec. 2. A woman whose husband is dead; *or is an inmate of a penal insti-*
2 *tution under a sentence which will not terminate within one year after the*
3 *date of her application; or is an inmate of a state insane esylum or hospital;*
4 *or is unable to labor for the support of his family* by reason of physical or men-
5 tal disabilities; may file an application for relief under this act, *providing* such
6 woman has *previously resided* for three years in the county where such appli-
7 cation is made, and is the mother of a child or children.

Sec. 10. The allowance made to such mother shall not exceed *thirty-five*
2 dollars per month when such mother has but one child under the age of four-
3 teen years; and if she has more than one child under such age, the allowance to
4 such mother may be such an amount as the court shall deem sufficient under
5 the particular circumstances of the case. *However*, in no event shall the relief
6 granted to any one mother and children exceed the sum of *fifteen* dollars per
7 month for each additional child.

Sec. 11. Such relief by the court only upon the following conditions:

2 (1) The child or children for whose benefit the relief is granted must be
3 living with the mother of such child or children; (2) the court must find that
4 it is for the welfare of such child or children to remain at home with the moth-
5 er; (3) the relief shall be granted only when in the absence of such relief the
6 mother would be required to work regularly away from her home and children,
7 or when in the absence of such relief it would be necessary to commit such child
8 or children to a dependent institution and when by means of such relief she
9 will be able to remain at home with her children, except that she may be absent
10 for work a definite number of days each week to be specified in the court's or-
11 der when such work can be done by her without the sacrifice of health or neg-
12 lect of home and children; (4) such mother must, in the judgment of the court,

13 be a proper person, physically, mentally and morally fit, to have the care and
14 custody of her children; (5) the relief granted shall, in the judgment of the
15 court, be necessary to save the child or children from neglect; (6) a mother shall
16 not receive such relief who is owner of real property or personal property
17 other than the household goods, but no mother who shall be the holder of, or en-
18 titled to, a homestead under the exemption laws of this State, or who is the
19 holder of, or entitled to a dower right in real estate, provided the fair cash mar-
20 ket value of *her net interest* in said real estate, *over and above all encumber-*
21 *ances thereon*, is not *worth* more than one thousand (\$1,000) dollars, shall be
22 denied relief under the provisions of this Act; (7) a mother shall not receive
23 such relief who has not resided in the county where the application is made at
24 least three years before making such application; (8) a mother shall not re-
25 ceive such relief if her child or children has or have relatives of sufficient abil-
26 ity, and who shall be obligated by the finding and judgment of the court by
27 competent jurisdiction, to support them.

Sec. 16. The County Board in each county shall levy a tax of not to ex-
2 ceed two-thirds of one mill on the dollar annually on all taxable property in
3 the county, in counties having a population of not more than 300,000 inhabi-
4 tants, and not to exceed *four-tenths* of a mill annually on all taxable property
5 in the county, in counties having a population of over 300,000 inhabitants, such
6 tax to be levied and collected in like manner with the general taxes of such
7 county, and to be known as a Mother's pension Fund; which said tax shall be in
8 addition to all other taxes which such county is now, or hereafter may be au-
9 thorized to levy on the aggregate valuation of all property within such coun-
10 ty, and the county clerk, in reducing tax levies under the provisions of Section
11 2 of "An Act concerning the levy and extension of taxes," approved May 9,
12 1901, in force July 1, 1901, as amended, shall not consider the tax for said
13 Mothers' Pension Fund, authorized by this Act, as a part of the general tax
14 levy for county purposes, and shall not include the same in the limitation of

15 two per cent of the assessed valuation upon which taxes are required to be ex-
16 tended.

Sec. 2. Section 18a of said Act is repealed.

Sec. 3. The title of said Act is amended to read as follows:

2 “*An Act to provide for the partial support of mothers, and for the probation-*
3 *ary visitation, care and supervision of the family for whose benefit such sup-*
4 *port is provided.*”

AMENDMENTS TO

52d G. A.

HOUSE BILL NO. 847

1921



1 Adopted June 10, 1921.

AMENDMENT NO. 1.

Amend printed House Bill No. 847, on page 1, in line 1 of the title by striking out the figure "2" and the comma immediately following that figure.

AMENDMENT NO. 2.

Amend printed House Bill No. 847, on page 1, in Section 1, line 2, by striking out the figure "2" and the comma immediately following that figure.

AMENDMENT NO. 3.

Amend printed House Bill No. 847, on page 2, by striking out all of Section 2.

AMENDMENT NO. 4.

Amend printed House Bill No. 847, on page 2, by striking out all of Section 10 and inserting in lieu thereof the following section:

"Sec. 10. The allowance made to such mother when she has but one child under the age of fourteen years shall not exceed fifteen dollars per month in counties having less than 300,000 population and shall not exceed twenty-five dollars per month in counties having more than 300,000 population. If such mother has more than one child under this age, the allowance to her may be such an amount as the court deems sufficient under the particular circumstances of the case but in no event shall the relief granted to her and her

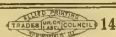
8 children exceed the sum of ten dollars per month for each additional child
9 in counties of less than 300,000 population and the sum of fifteen dollars per
10 month for each additional child in counties of over 300,000 population."

AMENDMENT NO. 5.

Amend printed House Bill No. 847, on page 3, in Section 11, line 17, after
2 the words "shall be" by inserting the words "the owner of personal prop-
3 erty, or."

AMENDMENT NO. 6.

Amend printed House Bill No. 847, on page 3, in Section 11, line 20, after
2 the words "real estate" by inserting the words "or personal property."



- 1 Introduced by Mr. Brown, June 2, 1921.
- 2 Read by title, ordered printed, and referred to Committee on Appropriations.

A BILL

For an Act making an appropriation for the relief of Daniel Gruhlky.

WHEREAS, Daniel Gruhlky, of Marseilles, Illinois, is and has been a resident
2 of the City of Marseilles, in the State of Illinois, for many years last past, and,
3 during that time an owner of residence properties in said city; and

4 WHEREAS, the drainage of surface waters, from the residence properties of
5 said Daniel Gruhlky was at all times prior to the year 1920, effected by and
6 through certain lawfully and legally constructed tunnelling under the waters of
7 the Illinois and Michigan Canal across same, and emptying beyond the limits
8 thereof; and

9 WHEREAS, prior to April, 1920, during certain repair and reconstruction
10 work upon said Canal at said point, carried on by the authorities in charge of
11 same, and under their direction, said tunnelling was almost wholly closed and
12 blocked by the driving down into and through same of heavy posts or pillars,
13 with the effect that the surface waters naturally flowing through same were
14 blocked and thrown back to, upon and into the properties aforesaid of the said

15 Daniel Gruhlky, without any fault on his part, thereby either wholly destroying
16 or seriously and permanently damaging the said realty, and especially the per-
17 sonal property of the said Daniel Gruhlky therein situated; the extent by said
18 damage being in amount more than Seven Hundred Dollars (\$700); and

19 WHEREAS, said Daniel Gruhlky is equitably entitled to be paid in relief of
20 said damage, by the State of Illinois, the full amount of said damages; now
21 therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* The sum of Seven Hundred Dollars
3 (\$700) is appropriated for the relief of Daniel Gruhlky.

Sec. 2. The Auditor of Public Accounts is authorized and directed to draw
2 his warrant upon the State Treasurer for the amount herein appropriated in
3 favor of the said Daniel Gruhlky.



- 1 Introduced by Committee on Revenue, June 2, 1921. Substitute for H. B. Nos.
296, 94, 224, 166, 416, 545 and 760.
- 2 Read at large a first time, ordered printed and to a second reading.

A BILL

For an Act to amend "An Act concerning the levy and extension of taxes," approved
May 9, 1901, in force July 1, 1901, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That "An Act concerning the levy and
3 extension of taxes," approved May 9, 1901, in force July 1, 1901, as amended,
4 be amended to read as follows:

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That in determining the amount of the
3 maximum tax authorized to be levied by any statute of this State the assessed
4 valuation of the current year of the property in each taxing district, as equal-
5 ized by the *State Tax Commission*, shall be used. And if the amount of any tax
6 certified to the county clerk for extension shall exceed the maximum allowed by
7 law, determined as above provided, such excess shall be disregarded, and the
8 residue only treated as the amount certified for extension.

Sec. 2. The county clerk in each county shall ascertain the rates per cent required to be extended upon the assessed valuation of the taxable property in the respective towns, townships, districts, incorporated cities and villages in his county, as equalized by the *State Tax Commission* for the current year, to produce the several amounts certified for extension by the taxing authorities in said county (as the same shall have been reduced as hereinbefore provided in all cases where the original amounts exceed the amount authorized by law): *Provided, however*, that if the aggregate of all taxes (exclusive of State taxes, township taxes, village taxes, levee taxes, public tuberculosis sanitarium taxes, pension fund taxes, *library taxes*, school building taxes, high school taxes, district school taxes and all other school taxes in school districts having not more than 100,000 inhabitants, road and bridge taxes, and taxes levied for the payment of the principal of and the interest on bonded indebtedness of cities, and for the payment of the principal of and the interest on park bonds hereafter issued, and exclusive of taxes levied pursuant to the mandate or judgment of any court of record on any bonded indebtedness), certified to be extended against any property in any part of any taxing district or municipality, shall exceed two per cent of the assessed valuation thereof upon which the taxes are required to be extended, the rate per cent of the tax levy of such taxing district or municipality shall be reduced as follows: The county clerk shall reduce the rate per cent of the tax levy of such taxing district or municipality in the same proportion in which it would be necessary to reduce the highest aggregate per cent of all the tax levies (exclusive of State taxes, township taxes, village taxes, levee taxes, public tuberculosis sanitarium taxes, *library taxes*, pension fund taxes, school building taxes, high school taxes, district school taxes and all other school taxes in school districts having not more than 100,000 inhabitants, road and bridge taxes, and taxes levied for the payment of the principal of and the interest on bonded indebtedness of cities and for the payment of the principal of and interest on park bonds hereafter issued, and exclusive of taxes levied pursuant to the mandate or judgment of any court of record on any bonded indebtedness),

31 certified for extension upon any of the taxable property in said taxing district
32 or municipality, to bring the same down to two per cent of the assessed value of
33 said said taxable property upon which said taxes are required by law to be ex-
34 tended: *Provided, further*, that in reducing tax levies hereunder the rate per
35 cent of the tax levy for county purposes shall not be reduced below a rate of fifty
36 cents on each one hundred dollars assessed value (exclusive of levies to pay the
37 principal of and interest on bonded indebtedness and judgments *and for library*
38 *purposes*), and the rate per cent of the tax levy for city or village purposes
39 (exclusive of library, public tuberculosis sanitarium pension fund, school and
40 park purposes, and exclusive of the taxes levied for the payment of the principal
41 of and interest on bonded indebtedness) in cities and villages having a popula-
42 tion of over 150,000 shall not be reduced below a rate of *one dollar and eighty-*
43 *five cents* on each one hundred dollars assessed value, and the rate per cent of
44 the tax levy for library purposes shall not be reduced below a rate of *eight* cents
45 on each one hundred dollars assessed value, and the rate per cent of the tax levy
46 for city or village purposes (exclusive of library, school and park purposes, and
47 exclusive of the taxes levied for the payment of the principal of and interest on
48 bonded indebtedness and judgments, *and exclusive of taxes authorized by law for*
49 *specific purposes*) in cities and villages having a population of less than 150,000,
50 shall not be reduced below a rate of one dollar and thirty-three and one-third
51 cents on each one hundred dollars assessed value, and the rate per cent of the
52 school tax levy for educational purposes shall not be reduced below the maximum
53 rate allowed by law, *and the rate per cent of the tax levy for library purposes.*
54 *shall not be reduced below a rate of eighteen cents on each one hundred dollars*
55 *assessed value*, and the rate per cent of the tax levy for park purposes in districts
56 organized and existing under an Act entitled, “An Act to provide for the crea-
57 tion of pleasure driveway and park districts,” approved June 19, 1893, in force
58 July 1, 1893, shall not be reduced below a rate of forty cents on each one hun-
59 dred dollars assessed value (exclusive of levies to pay the principal and interest
60 on bonded indebtedness and judgments), *and the rate per cent of the tax levy*

61 for park purposes⁴ in districts created, organized and existing under and by
 62 virtue of an Act entitled, "An Act to amend the charter of the City of Chicago to
 63 create a board of park commissioners, and authorize a tax in the town of West
 64 Chicago, and for other purposes," approved and in force February 27, 1869, and
 65 all acts amendatory thereof, shall not be reduced below a rate of fifty-five cents
 66 on each one hundred dollars assessed value (exclusive of levies to pay the prin-
 67 cipal of and interest on bonded indebtedness and judgments, and levies for em-
 68 ployees' annuity and benefit funds, policemen's pension funds and policemen's
 69 annuity and benefit funds), and the rate per cent of the tax levy for park pur-
 70 poses in districts organized and existing under an Act entitled, "An Act to pro-
 71 vide for the organization of park districts, and the transfer of submerged lands
 72 to those bordering on navigable bodies of water," approved June 24, 1895, in
 73 force July 1, 1895, shall not be reduced below a rate of twenty-three cents on
 74 each one hundred dollars assessed value (exclusive of levies to pay the principal
 75 of and interest on bonded indebtedness and judgments), and the rate per cent of
 76 the tax levy for park purposes in districts comprising any three towns organized
 77 and existing under and in pursuance of any Act or Acts of the General Assembly
 78 of this State, which has or have been submitted to the legal voters of such three
 79 towns and by them respectively adopted, for the purpose of locating, establish-
 80 ing, enclosing, improving or maintaining any public park, boulevard, driveway,
 81 highway, or other public work or improvement, shall not be reduced below a rate
 82 of thirty cents on each one hundred dollars assessed value (exclusive of levies for
 83 employees' annuity and benefit funds, policemen's pensions funds, and police-
 84 men's annuity and benefit funds, and levies to pay the principal of and interest
 85 on bonded indebtedness and judgments), and the rate per cent of the tax levy for
 86 park purposes in townships of this State, levied under an Act entitled, "An Act
 87 authorizing townships to acquire and maintain lands for park purposes,"
 88 approved and in force June 23, 1915, as subsequently amended, shall not be re-
 89 duced below a rate of ten cents on each one hundred dollars assessed value, and
 90 the rate per cent of the tax levy for sanitary district purposes in sanitary dis-

91 *tricts organized and existing under an Act entitled, "An Act to create sanitary*
92 *districts and to remove obstructions in the Desplaines and Illinois Rivers,"*
93 *approved May 29, 1889, in force July 1, 1889, shall not be reduced below a rate*
94 *of eighteen cents on each one hundred dollars assessed value (exclusive of levies*
95 *to pay the principal of and interest on bonded indebtedness), but the other*
96 *taxes which are subject to reduction under this section shall be subject only to*
97 *such reduction, respectively, as would be made therein under this section if this*
98 *proviso were not inserted herein: And, provided, further, that in reducing tax*
99 *levies hereunder no levies for school purposes shall be diminished. The term*
100 *"park purposes" as used in this section shall be deemed to include all purposes*
101 *of locating, establishing, improving and maintaining all public parks, boule-*
102 *wards, driveways, highways, museums and other public works and improve-*
103 *ments within the control of boards of park commissioners.*

104 The rate per cent of the tax levy of every county, city, village, town, town-
105 ship, park district, sanitary district, road district, and other public authorities
106 (except the State), shall be ascertained and determined (and reduced when
107 necessary as above provided) in the manner hereinbefore specified, and shall
108 then be extended by the county clerk upon the assessed value of the property sub-
109 ject thereto (being one-half of the full value thereof) as equalized according to
110 law. In reducing the rate per cent of any tax levy as hereinbefore provided,
111 the rates per cent of all tax levies certified to the county clerk for extension as
112 originally ascertained and determined under Section 1 of this Act, shall be used
113 in ascertaining the aggregate of all taxes certified to be extended without regard
114 to any reduction made therein under this section: *Provided*, that no reduction
115 of any tax levy made hereunder shall diminish any amount appropriated by
116 corporate or taxing authorities for the payment of the principal or interest on
117 bonded debt, or levied pursuant to the mandate or judgment of any court of
118 record. And to that end every such taxing body shall certify to the county clerk,
119 with its tax levy, the amount thereof required for any such purposes.

120 *The minimum rates prescribed in this section shall remain in effect for three*
121 *years beginning with the year 1921.*

122 In case of a reduction hereunder any taxing body whose levy is affected
123 thereby and whose appropriations are required by law to be itemized, may, after
124 the same have been ascertained, distribute the amount of such reduction among
125 the items of its appropriations, with the exceptions aforesaid, as it may elect.
126 If no such election is made within three months after the extension of such tax,
127 all such items, except as above specified, shall be deemed to be reduced pro rata.

AMENDMENT TO

52d G. A.

HOUSE BILL NO. 849

1921



1 Adopted June 9, 1921.

AMENDMENT NO. 1.

Amend House Bill No. 849, in the printed bill, in Section 2, page 3, lines
2 48 and 49 by striking out the following: “(and exclusive of taxes authorized
3 by law for specific purposes)”.

AMENDMENT TO

52d G. A. HOUSE BILL NO. 849 IN SENATE

1921



- 1 Offered by Mr. Carlson, June 15, 1921.
 - 2 Ordered printed.
-

AMENDMENT NO. 1.

Amend House Bill No. 849 in Senate by inserting the words and figures ‘and
2 exclusive of taxes authorized by Acts which by their terms provide that such
3 taxes shall be in addition to taxes for general purposes authorized by Section 1
4 of Article VIII of ‘An Act for the incorporation of cities and villages,’ approved
5 April 10, 1872, and amendments thereto’ after the word “‘judgments” and before
6 the parenthesis mark in line 48 of the printed bill.



1 -Introduced by Mr. Castle, June 7, 1921.

2 Read at large a first time, ordered printed and to a second reading.

A BILL

For an Act to validate annexations by cities, villages and incorporated towns of
contiguous territory in certain cases.

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* In all cases where:

3 1. The city council of any city or the board of trustees of any village or in-
4 corporated town, on a petition, in writing, signed by a majority of the legal
5 voters and by a majority, in number, of the property owners in any territory
6 contiguous to such city, village or incorporated town, has submitted the ques-
7 tion of the annexation of such territory to the legal voters of such city, village
8 or incorporated town, at the next regular election (if the petition was presented
9 within 90 days of a regular election) or at a special election called within 60
10 days after the presentation of the petition; and

11 2. At such election, a majority of the votes cast on the question of annex-
12 ing such territory were in favor of such annexation; and

13 3. Within 90 days after such election, the city council of such city, or
14 board of trustees of such village or incorporated town, by ordinance, annexed

15 such territory to such city, village or incorporated town and filed a copy of
16 such ordinance with an accurate map of the territory annexed (duly certified
17 by the mayor of the city or president of the board of trustees of the village or
18 incorporated town) in the office of the recorder of deeds in the county in which
19 the annexed territory is located;

20 Such annexation is hereby validated and made legal regardless of the fact
21 that the petition praying the annexation did not purport or declare that it was
22 signed by a majority of the legal voters and a majority of the property owners,
23 in the territory proposed to be annexed.



- 1 Introduced by Committee on Elections, June 7, 1921.
- 2 Read at large a first time, ordered printed and to a second reading.

A BILL

For an Act to amend Section 30 of "An Act to provide for the holding of primary elections by political parties," approved March 9, 1910, in force July 1, 1910, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 30 of "An Act to provide for the
3 holding of primary elections by political parties," approved March 9, 1910, in
4 force July 1, 1910, as amended, is amended to read as follows:

Sec. 30. All petitions for nominations shall be filed as follows:

- 2 1. Where the nomination is to be made for a State, congressional, judicial
3 or appellate court office, or for any office a nomination for which is made for a
4 territorial division or district which comprises more than one county or is partly
5 in one county and partly in another county or counties, then such petition for
6 nomination shall be filed in the office of the Secretary of State not more than
7 sixty (60) and not less than forty (40) days prior to the date of the primary.

9 2. Where the nomination is to be made for a county office, trustee
10 of a sanitary district (except clerk of the appellate court of the first district) or
11 ward committeemen, then such petition shall be filed in the office of the county
12 clerk not more than sixty (60) nor less than forty (40) days prior to the date
13 of the primary.

14 3. Where the nomination is to be made for an office to be filled by the elec-
15 tors of an entire city or village, including alderman, such petitions for nomina-
16 tion shall be filed in the office of the city or village clerk not more than thirty
17 (30) nor less than twenty (20) days prior to the date of the primary.

18 4. Where the nomination is to be made for an office to be filled by the elec-
19 tors of a town, then such petition for nomination shall be filed in the office of
20 the town clerk not more than thirty (30) and not less than twenty (20) days
21 prior to the date of the primary.

22 5. The petitions of candidates for State central committeeman shall be
23 filed in the office of the Secretary of State not more than sixty (60) and not less
24 than forty (40) days prior to the date of the primary.

25 6. The Secretary of State and the various clerks with whom such petitions
26 for nominations are filed shall endorse thereon the day and hour on which each
27 petition was filed.

28 7. Any person for whom a petition for nomination *or* for committeeman
29 has been filed may cause his name to be withdrawn by request in writing,
30 signed by him and duly acknowledged before an officer qualified to take acknowl-
31 edgments of deeds, and filed in the office of the Secretary of State not less than
32 thirty-five (35) days or with the proper clerk not less than *fifteen (15)* days
33 prior to the date of the primary, and no names so withdrawn shall be certified
34 by the Secretary of State to the county clerk or printed on the primary ballot.

35 8. Each person seeking to be elected as delegate or alternate delegate to
36 the national nominating convention of his party shall file, along with his nomi-
37 nating petition, a statement in writing signed by him in which he shall state the
38 name of the candidate of his choice for nomination for President of the United

39 States, or, in lieu thereof, may file a statement to the effect that he has no pref-
40 erence for candidates for President of the United States. The Secretary of
41 State shall not permit a petition of a candidate for delegate or alternate dele-
42 gate to the national nominating convention to be filed unless accompanied by
43 the statement required in paragraph 8 of this section. Any candidate for
44 President of the United States for whom a preference is stated by any candi-
45 date for delegate or alternate delegate to a nominating convention, may, at any
46 time after the filing of such petition and before the name of such candidate for
47 delegate or alternate delegate to a national nominating convention is certified
48 to by the various county clerks for printing, file in the office of the Secretary of
49 State an instrument in writing disavowing the candidacy of the person who
50 has so filed a nominating petition for delegate or alternate delegate to a na-
51 tional nominating convention and in case such candidate for President of the
52 United States shall disavow the candidacy of the candidate for delegate or alter-
53 nate delegates as aforesaid, the name of such candidate for delegate or alter-
54 nate delegate so disavowed shall not be certified to the various county clerks for
55 printing upon the official primary ballot.



- 1 Introduced by Mr. Arthur Roe, June 7, 1921.
- 2 Read at large a first time, ordered printed and to a second reading.

A BILL

For an Act to amend Sections 1 and 2 of an Act entitled, "An Act to create a State farm," approved June 14, 1917, and in force July 1, 1917.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Sections 1 and 2 of an Act entitled "An
3 Act to create a State farm," approved June 14, 1917, and in force July 1, 1917,
4 are amended to read as follows:

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That an institution for the correction of
3 male offenders, above the age of sixteen (16) years, whose offense is punish-
4 able by confinement in the *penal institutions of the State of Illinois and who*
5 *may be eligible for parole, under the provisions of "An Act to revise the law*
6 *in relation to the sentence and commitment of persons convicted of crime or*
7 *offenses and providing for a system of parole and to repeal certain Acts and*
8 *parts of Acts therein named," approved June 25, 1917, to be known as the Illi-*
9 *nois State Farm, is hereby authorized to be established at such place as shall*
10 be selected by the Department of Public Welfare.

Sec. 2. Such farm shall receive and provide proper work and care for all
2 such male offenders above the age of sixteen (16) years *confined in the penal*
3 *institutions of the State of Illinois, who may be transferred to such farm by the*
4 *Department of Public Welfare, and the said department is hereby authorized*
5 *and empowered to effect the transfer of any of the male offenders described*
6 *in Section One (1) of this Act confined in the State penal institutions to such*
7 *farm, as it deems fit and proper to so transfer, where these offenders shall*
8 *serve the remaining portion of their sentence imposed by law.*



- 1 Introduced by Committee on Public Utilities and Transportation, June 7, 1921.
- 2 Read at large a first time, ordered printed, and to a second reading.

A BILL

For an Act conferring powers upon corporations owning or operating or authorized to own or operate electrically operated street railroads or other railroads, or both, used or to be used wholly or chiefly for passenger transportation and located or to be located wholly or mainly within the territorial limits of any municipal corporation hereafter created under any law of this State, as a transportation district, for the purpose of acquiring and operating a transportation system or systems.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Every corporation now or hereafter ex-
3 isting by virtue of any law of this State which shall own or operate, or be
4 authorized to own or operate, a street railroad or a railroad other than a street
5 railroad, or both, operated or to be operated by electrical energy and used or
6 to be used wholly or chiefly for passenger transportation and located or to be
7 located wholly or mainly within the territorial limits of any municipal corpo-
8 ration hereafter created under any law of this State as a transportation dis-

9 triet for the purpose of acquiring and operating a transportation system or
10 systems shall be deemed, within the meaning of this Act, a local transporta-
11 tion company in and for such municipal corporation.

Sec. 2. Subject to the provisions of this Act, every local transportation
2 company in and for any such municipal corporation created for the purpose
3 aforesaid shall, in addition to its other powers, have power and authority:

4 (a) To acquire by purchase or lease, and to maintain and operate, all or
5 any part of the lines and property of any other local transportation company
6 or local transportation companies in and for such municipal corporation.

7 (b) To sell or lease all or any part of its lines and property to such
8 municipal corporation or the corporate authorities thereof, or to any other local
9 transportation company in and for such municipal corporation.

10 (c) To enter into any operating agreement or agreements with such mu-
11 nicipal corporation or any other corporation or corporations owning or oper-
12 ating either street railroad lines or other railroad lines, or both, whereby the
13 whole or any designated portion or portions of the lines of either or any of the
14 parties to such agreement or agreements may be used and operated by the cars
15 or trains of any other party or parties thereto.

16 Any local transportation company which shall acquire by purchase any of
17 the lines and property of any other local transportation company, whether street
18 railroad lines or other railroad lines, or both, shall thereupon possess, and may
19 thereafter enjoy and exercise, in addition to its other powers, the rights and
20 powers of the corporation from which the lines were acquired, relating to the
21 construction, maintenance and operation of the acquired lines and property and
22 of extensions, additions, improvements and betterments thereto, and relating to
23 the acquisition of private property required for any such additions, exten-
24 sions, improvements or betterments.

Sec. 3. No local transportation company shall, under the authority of this
2 Act, make any sale or lease of all or substantially all of its lines and property,

3 or acquire by purchase or lease all or substantially all of the lines and property
4 of any other local transportation company, unless the purchase, sale or lease,
5 and the terms and conditions thereof shall be authorized or approved by reso-
6 lution or resolutions adopted by the affirmative vote in person or by proxy of
7 the holders of not less than two-thirds of its outstanding shares of capital
8 stock, at a special meeting of its stockholders called and held upon the notice
9 hereinafter in this section provided; but when so authorized or approved any
10 such purchase, sale or lease may be made on the terms and for the consideration
11 specified in such resolution or resolutions. All or any portion of the considera-
12 tion for any such purchase or sale may consist of stock, bonds or other securi-
13 ties issued by the purchaser or of special bonds or certificates of the purchaser
14 payable solely out of the property sold and receipts to be derived from the oper-
15 ation thereof. Any such special meeting of stockholders shall be called by the
16 publication once each week for four successive weeks in some newspaper pub-
17 lished, and of general circulation, in the county in which is located the principal
18 office of the corporation, of a notice signed in the name of the President or
19 Secretary of the corporation stating the time, place and object of the meeting,
20 the first publication to be sixty days or more before the date for the meeting
21 specified in the notice. Such notice shall also be mailed at least sixty days be-
22 fore the date therein specified for the meeting to each stockholder of record at
23 the time of the mailing whose address shall appear on the books of the corpora-
24 tion. An affidavit of an officer or employe of the corporation, stating that he
25 mailed such notice to each such stockholder, directed to the address of such
26 stockholder so appearing on the books of the corporation, and setting forth the
27 date of such mailing, shall be made a part of the corporate records of the cor-
28 poration and shall be *prima facie* evidence of the facts stated and set forth
29 therein.

Sec. 4. Any sale or lease by or from any local transportation company in
2 and for any municipal corporation created as aforesaid, to such municipal cor-

3 poration, and any and all acts or things required to be done by such company
4 to effectuate the same or to carry out the terms thereof or of any agreement
5 made between such company and such municipal corporation in connection
6 therewith (including the issuing and disposing of any stock, bonds, evidences of
7 indebtedness or other securities, and the making of any conveyances, mortgages,
8 assignments or other transfers) may be made or done by such company without
9 first obtaining the consent or approval of any governmental agency now or here-
10 after existing for the regulation of public utilities or public utility companies.

Sec. 5. No local transportation company shall have the right to construct
2 and operate any street railroad within any city, town or incorporated village
3 without first obtaining the consent of the local authorities having the control of
4 the streets or highways proposed to be occupied by such street railroad.



- 1 Introduced by Committee on Public Utilities and Transportation, June 7, 1921.
- 2 Read at large a first time, ordered printed and to a second reading.

A BILL

For an Act to amend Section 3 of "An Act entitled An Act in regard to street railroads, and to repeal certain Acts herein referred to," approved and in force March 7, 1899, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 3 of "An Act entitled An Act in
3 regard to street railroads, and to repeal certain Acts herein referred to,"
4 approved and in force March 7, 1899, as amended, is amended to read as follows:

Sec. 3. No such company shall have the right to locate or construct its
2 road upon or along any street or alley, or over any public ground in any in-
3 corporated city, town or village without the consent of the corporate authori-
4 ties of such city, town or village, nor upon or along any road or highway, or
5 upon any public ground without any incorporated city, town or village, except
6 upon the consent of the county board. Such consent may be granted for any
7 period not longer than twenty years, on the petition of the company, upon such
8 terms and conditions not inconsistent with the provisions of this Act, as such

9 corporate authorities or county board, as the case may be, shall deem for the
10 best interests of the public: *Provided*, no such consent shall be granted unless
11 at least ten days' public notice of the time and place of presenting such peti-
12 tion shall have been first given by publication in some newspaper published in
13 the city or county where such road is to be constructed, and except upon the
14 condition that the company will pay all damages to owners of property abutting
15 upon the street, alley, road, highway or public ground, upon or over which such
16 road is to be constructed, which they may sustain by reason of the location or
17 construction of the road; the same to be ascertained and paid in the manner
18 provided by law for the exercise of the right of eminent domain.

19 Where, however, any company is now operating or may hereafter operate
20 lines of street railway in any incorporated city, town or village, under ordi-
21 nances or grants, obligating such street railway company to construct specified
22 mileage of extensions or additional lines of street railway upon the order of
23 such incorporated city, town or village, the consent of such incorporated city,
24 town or village, for the construction of such specified mileage of extensions or
25 additional lines of street railway may be granted, without a petition of the
26 street railway company: *Provided, however*, that in such case the incorporated
27 city, town or village shall give at least ten (10) days' public notice by publica-
28 tion in some newspaper published in the city, town or village where such road is
29 to be constructed, of its intention to require the construction of such specified
30 mileage or additional lines of street railway. In case such incorporated city,
31 town or village shall give public notice as herein provided, no further public
32 notice need be given, but the company shall pay all damages to owners of prop-
33 erty abutting upon the streets, alleys, roads, highways or upon grades upon or
34 over which such road is to be constructed, which they may sustain by reason of
35 the location or construction of the road, as in other cases; such damages to be
36 ascertained and paid in the manner provided by law for the exercise of the
37 right of eminent domain.

38 *However, any city, village or incorporated town, the whole or a part of*
39 *which is within the territorial limits of any municipal corporation created as*
40 *a transportation district under the laws of this State for the purpose of acquir-*
41 *ing and operating a transportation system or systems, shall have power to*
42 *grant to such transportation district for an indeterminate period, terminable*
43 *only upon such contingencies or conditions as may be prescribed in the grant for*
44 *the termination thereof, the right to construct, maintain and operate along, upon,*
45 *above or below the surface of such streets, alleys, public ways or public grounds*
46 *of such city, village or incorporated town, as shall be within the territorial*
47 *limits of the transportation district to which the grant is made, street railroad*
48 *lines, together with subways, tunnels, substructures, elevated structures or sur-*
49 *face structures, for use in connection with such lines or any of them. In the*
50 *case of any street railroad lines now or hereafter existing within any city,, vil-*
51 *lage or incorporated town, which such transportation district created as afore-*
52 *said shall be authorized by law to acquire by purchase, lease or otherwise, such*
53 *city, village or incorporated town shall have authority to grant to the corpora-*
54 *tion which owns such lines or any corporation designated by such owner as the*
55 *prospective purchaser thereof, its successors and assigns, the right to maintain*
56 *and operate such lines and all extensions thereof, and additions thereto for an*
57 *indeterminate period terminable only upon such contingencies, or conditions as*
58 *may be prescribed in the grant for the termination thereof. Any grant to a*
59 *corporation other than a transportation district above referred to for an inde-*
60 *terminate period shall contain a provision that such grant shall become void*
61 *unless the grant itself and the property operated or to be operated under the*
62 *grant shall be acquired by purchase or lease within three years by a municipal*
63 *corporation hereafter created as a transportation district under the laws of this*
64 *State. Any grant authorized by this paragraph of the right to maintain and*
65 *operate lines existing at the time of the making of the grant may be made with-*
66 *out the petition or consent of any of the owners of the land abutting or front-*
67 *ing upon any street, alley, road, highway or public way, or public ground, or*

68 *portion thereof, occupied by or used for such lines. This paragraph shall be*
69 *deemed and construed to confer powers in addition to but not limiting those*
70 *now existing.*



- 1 Offered by Committee on Public Utilities, June 15.
- 2 Ordered printed.

Amend printed House Bill No. 854, in Senate, on page 3, by inserting after
2 the word "State" in line 64 the following:
3 "nothing hereinbefore contained shall be construed to empower or authorize
4 transportation districts to mortgage, lease, sell, assign, set over or transfer to
5 any person, firm or corporation, any right acquired under this Act to operate
6 local transportation lines for any period in excess of twenty years from the time
7 of taking possession under such mortgage, lease, sale, assignment, set over or
8 transfer."

- 1 Introduced by Committee on Public Utilities and Transportation, June 7, 1921.
- 2 Read at large a first time, ordered printed and to a second reading.

A BILL

For an Act conferring authority upon cities, villages and incorporated towns lying wholly or partly within the territorial limits of any municipal corporation hereafter created as a transportation district under any law of this State for the purpose of acquiring and operating a transportation system or systems, to make grants of the use of streets, alleys, public ways and public grounds, for the construction, maintenance and operation of street railroads and other transportation lines.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Any city, village or incorporated town,
3 the whole or a part of which is within the territorial limits of any municipal
4 corporation hereafter created as a transportation district under the laws of
5 this State for the purpose of acquiring and operating a transportation system
6 or systems, shall have power to grant to such transportation district for an in-
7 determinate period, terminable only upon such contingencies or conditions as
8 may be prescribed in the grant for the termination thereof, the right to con-

9 struct, maintain and operate along, upon, above or below the surface of such
10 streets, alleys, public ways or public grounds of such city, village or incorpo-
11 rated town, as shall be within the territorial limits of the transportation district
12 to which the grant is made, street railroad lines or other railroad lines or
13 monorail lines, together with subways, tunnels, substructures, elevated struc-
14 tures or surface structures, for use in connection with such lines or any of
15 them. In case of any street railroad or other railroad lines now or hereafter
16 existing within such city, village or incorporated town, which such transporta-
17 tion district created as aforesaid shall be authorized by law to acquire by
18 purchase, lease or otherwise, such city, village or incorporated town shall have
19 authority to grant to the corporation which owns such lines or to any corpora-
20 tion designated by such owner as the prospective purchaser thereof, its success-
21 ors and assigns, the right to maintain and operate such lines and all extensions
22 thereof and additions thereto for an indeterminate period terminable only
23 upon such contingencies or conditions as may be prescribed in the grant for the
24 termination thereof. Any grant to a corporation other than a transportation
25 district above referred to for an indeterminate period shall contain a provision
26 that such grant shall become void unless the grant itself and the property oper-
27 ated or to be operated under the grant shall be acquired by purchase or lease
28 within three years by a municipal corporation hereafter created as a transpor-
29 tation district under the laws of this State. This Act shall be deemed and con-
30 strued to confer powers in addition to but not limiting those now existing.

31 Any grant authorized by this Act of the right to maintain and operate lines
32 existing at the time of the making of the grant may be made without the peti-
33 tion or consent of any of the owners of the land abutting or fronting upon any
34 street, alley, public way or public ground, or portion thereof, occupied by or
35 used for such lines.



- 1 Offered by Committee on Public Utilities, June 15.
- 2 Ordered printed.

Amend printed House Bill No. 855 in Senate, on page 2, in Section 1, line 29,

2 by inserting the word "State," the following:

3 "nothing hereinbefore contained shall be construed to empower or authorize
4 transportation districts to mortgage, lease, sell, assign, set over or transfer to any
5 person, firm or corporation, any right acquired under this Act to operate local
6 transportation lines for any period in excess of twenty years from the time of tak-
7 ing possession under such mortgage, lease, sale assignment, set over or transfer."



- 1 Introduced by Committee on Appropriations, June 7, 1921.
- 2 Read at large a first time, ordered printed and to a second reading.

A BILL

For an Act to authorize the Department of Public Works and Buildings to acquire land containing road building or road maintenance materials, and to acquire or construct, and to maintain and operate plants and factories for the production of road building or road maintenance material, and to dispose of such material and products.

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* The Department of Public Works and
3 Buildings is hereby authorized:

4 1. With the approval in writing of the Governor, to acquire by lease, pur-
5 chase or condemnation any land, mines, quarries or other property containing
6 sand, gravel, clay, rock, mineral deposits or other road building or road main-
7 tenance material;

8 2. With the approval in writing of the Governor, to construct or to ac-
9 quire by lease or purchase or condemnation plants and factories used or useful
10 in the production or manufacture of sand, gravel, clay, rock, cement, brick
11 or other road building or road maintenance material;

12 3. To maintain and operate such land, mines, quarries, plants, factories
13 or other property and to product or manufacture such road building or road
14 maintenance material.

Sec. 2. The Department of Public Works and Buildings may sell and
2 dispose of the materials and products produced by the operation of such land,
3 mines, quarries, plants, factories or other properties to counties, townships,
4 road districts and other political subdivisions of the State.

Sec. 3. The sum of five million dollars (\$5,000,000) is appropriated from
2 the road fund to the Department of Public Works and Buildings to carry out
3 the provisions of this Act.

Sec. 4. This appropriation is subject to the provisions of "An Act in
2 relation to State finance," approved June 10, 1919, in force July 1, 1919.



- 1 Introduced by Committee on Appropriations, June 7, 1921.
- 2 Read at large a first time, ordered printed, and to a second reading.

A BILL

For an Act making an appropriation from the Road Fund for the purpose of completing payments on contracts entered into prior to July 1, 1921, for the construction of roads, and for the purpose of constructing Federal Aid Roads and durable hard-surfaced roads upon the routes described in "An Act in relation to the construction by the State of Illinois of a State-wide system of durable hard-surfaced roads upon public highways of the State, and the provision of means for the payment of the cost thereof, by an issue of bonds of the State of Illinois," approved June 22, 1917, in force July 1, 1917, and for the carrying out of the powers incidental to road construction and improvement.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* There is hereby appropriated from the Road Fund to the Department of Public Works and Buildings for the purpose of completing payments on contracts entered into prior to July 1, 1921, for the construction of roads, and for the purpose of constructing Federal Aid Roads, and for the purpose of constructing durable hard-surfaced roads upon the routes described in "An Act in relation to the construction by the State of Illinois

8 of a State-wide system of durable hard-surfaced roads upon public highways
9 of the State, and the provision of means for the payment of the cost thereof,
10 by an issue of bonds of the State of Illinois," approved June 22, 1917, in force
11 July 1, 1917, and for the purpose of carrying out any and all powers con-
12 ferred by law on said Department, incident to or connected with the improving
13 and constructing of roads, for the period beginning July 1, 1921, and ending
14 June 30, 1923, the sum of twenty million dollars (\$20,000,000).

Sec. 2. This appropriation is subject to the provisions of "An Act in rela-
2 tion to State finance," approved June 10, 1919, in force July 1, 1919.



- 1 Introduced by Committee on Appropriations, June 7, 1921.
- 2 Read at large a first time, ordered printed and to a second reading.

A BILL

For an Act making an appropriation for the purpose of constructing durable, hard-surfaced roads upon the routes described in "An Act in relation to the construction by the State of Illinois of a State-wide system of durable hard-surfaced roads upon public highways of the State, and the provision of means for the payment of the cost thereof by an issue of bonds of the State of Illinois," approved June 22, 1917, in force July 1, 1917.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* There is hereby appropriated from the
3 Secondary Road Fund to the Department of Public Works and Buildings for
4 the purpose of constructing durable, hard-surfaced roads upon the routes de-
5 scribed in "An Act in relation to the construction by the State of Illinois of a
6 State-wide system of durable hard-surfaced roads upon public highways of the
7 State, and the provision of means for the payment of the cost thereof by an
8 issue of bonds of the State of Illinois," approved June 22, 1917, in force July
9 1, 1917, the sum of three million, five hundred thousand dollars (\$3,500,000).

Sec. 2. This appropriation is subject to the provisions of "An Act in re-
2 lation to State finance," approved June 10, 1919, in force July 1, 1919.



- 1 Introduced by Committee on Appropriations, June 7, 1921.
- 2 Read at large a first time, ordered printed and to a second reading.

A BILL

For an Act making re-appropriation from the State Bond Road Fund for the purpose of carrying out the provisions of "An Act in relation to the construction by the State of Illinois of a State-wide system of durable hard-surfaced roads upon public highways of the State and the provision of means for the payment of the cost thereof by an issue of bonds of the State of Illinois," approved June 22, 1917, in force July 1, 1917.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* There is hereby re-appropriated to the Department of Public Works and Buildings, the sum of thirty million dollars (\$30,000,000), or so much thereof as may be necessary, payable from the State Bond Road Fund, for the purpose of carrying out the provisions of "An Act in relation to the construction by the State of Illinois of a State-wide system of durable hard-surfaced roads upon public highways of the State and the pro-

8 vision of means for the payment of the cost thereof by an issue of bonds of
9 the State of Illinois," approved June 22, 1917, in force July 1, 1917.

Sec. 2. This appropriation is subject to the provisions of "An Act in rela-
2 tion to State finance," approved June 10, 1919, in force July 1, 1919.



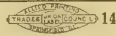
- 1 Introduced by Committee on Appropriations, June 7, 1921.
- 2 Read at large a first time, ordered printed and to a second reading.

A BILL

For an Act making an appropriation for maintaining those highways for the maintenance of which the State of Illinois is responsible, and for the carrying out of any and all powers incidental thereto.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That there is appropriated from the
3 Road Fund to the Department of Public Works and Buildings for the purpose
4 of maintaining those highways, for the maintenance of which the State of Illi-
5 nois is responsible, and for the purpose of carrying out any and all powers con-
6 ferred by law on said department, which are incident to or connected with such
7 highway maintenance, for the period beginning July 1, 1921, and ending June
8 30, 1923, the sum of Three Million Dollars (\$3,000,000.00).

Sec. 2. This appropriation is subject to the provisions of "An Act in rela-
2 tion to State finance," approved June 10, 1919, in force July 1, 1919.



- 1 Introduced by Committee on Appropriations, June 7, 1921.
- 2 Read at large a first time, ordered printed, and to a second reading.

A BILL

For an Act making an appropriation for building State-aid roads and maintaining roads for the maintenance of which the State is responsible, in the several counties of the State.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* There is hereby appropriated from the
3 Road Fund to the Department of Public Works and Buildings for the purpose
4 of building State-aid roads and maintaining roads for the maintenance of
5 which the State is responsible, in the several counties of the State, the balance
6 of the amount heretofore appropriated by the Fifty-first General Assembly,
7 to the Department of Public Works and Buildings for the purpose of building
8 State-aid roads and maintaining all roads for the maintenance of which the
9 State is responsible in the several counties of the State, remaining unexpended,
10 amounting to the sum of three hundred thirty-two thousand, three hundred
11 eighty-seven dollars and seventy cents (\$332,387.70), or so much thereof as re-
12 mains unexpended on July 1, 1921.

13 The said Department of Public Works and Buildings is authorized to use
14 so much of the amount herein appropriated as may be necessary for the pur-
15 pose of completing the payments on State-aid road contracts entered into by
16 said Department prior to July 1, 1921, and the remainder of the amount herein
17 appropriated, or so much thereof as may be necessary, for the purpose of con-
18 structing State-aid roads in any county of the State which has accepted its
19 allotment of State-aid funds and passed a preliminary resolution, which reso-
20 lution has been approved by the Department of Public Works and Buildings
21 prior to July 1, 1921; and to use the balance of the amount herein appropriated
22 for the maintaining of roads in the several counties of the State.

Sec. 2. This appropriation is subject to the provisions of "An Act in re-
2 lation to State finance," approved June 10, 1919, in force July 1, 1919.



- 1 Introduced by Committee on Civil Service, June 8, 1921.
- 2 Read at large a first time, ordered printed and to a second reading.

A BILL

For an Act to amend Section 11 of "An Act to regulate the civil service of the State of Illinois," approved May 11, 1905, in force November 1, 1905, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 11 of "An Act to regulate the
3 civil service of the State of Illinois," approved May 11, 1905, in force Novem-
4 ber 1, 1905, as amended, is amended to read as follows:

Sec. 11. The following officers, positions and places of employment shall
2 be exempt from the classified Civil Service of the State:

3 (1) All officers elected by the people.

4 (2) All judges and officers appointed by judges of any court, clerks of
5 court, all officers and employees of the General Assembly, or either house
6 thereof.

7 (3) All officers, positions and places of employment in the military serv-
8 ice of the State.

9 (4) All notaries public.

10 (5) All officers appointed by the Governor by and with the advice and
11 consent of the Senate.

12 (6) One private secretary and one stenographer for each elective officer
13 in the executive department, and one private secretary for each director of
14 a department created by the Civil Administrative Code of Illinois, for the
15 president of each State normal school and for the president and each dean of
16 the University of Illinois.

17 (7) All regular and special Assistants Attorneys General, all law clerks,
18 special investigators and all special attorneys employed by the Attorney Gen-
19 eral, including the inheritance tax attorney of Cook County and assistant in-
20 heritance tax attorneys of Cook County.

21 (8) All presidents, deans, principals, professors, instructors, scientific
22 staff and other teachers of the University of Illinois and of the State normal
23 schools.

24 (9) All employes at the executive mansion.

25 (10) All bank examiners, examiners of building and loan associations, in-
26 surance actuaries and examiners of insurance companies.

27 (11) All superintendents, assistant superintendents, wardens, deputy war-
28 dens, chaplains, *farmers, secretaries, parole agents, State agents, home visitors,*
29 *clerks, investigators, inspectors, deputy inspectors, examiners, arbitrators,*
30 *statisticians, storekeepers, assistant fire marshals, guards, watchmen, police-*
31 *men, mechanics, all employes in the Department of Public Works and Build-*
32 *ings and in the Department of Agriculture.*

33 In the University of Illinois and in the State normal schools, students
34 may be employed under the rules of the Civil Service Commission without
35 examination or certification.



1 Introduced by Mr. William Rowe, June 8, 1921.

2 . Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Section 4 of "An Act to revise the law in relation to county clerks," approved March 24, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 4 of "An Act to revise the law
3 in relation to county clerks," approved March 24, 1874, in force July 1, 1874, is
4 amended to read as follows:

Sec. 4. The county clerk shall keep his office at the court house of his
2 county, or at such other place as may be provided for him by the authorities
3 of such county at the county seat. *The office of the county clerk may be closed*
4 *from twelve o'clock noon on Saturday until eight-thirty o'clock A. M. on Mon-*
5 *days.*



- 1 Introduced by Committee on Appropriations June 8, 1921.
- 2 Read at large a first time, ordered printed and to a second reading.

A BILL

For an Act to provide for the necessary revenue for State purposes.

SECTION 1. *Be it enacted by the People of the State of Illinois,
2 represented in the General Assembly:*

Section 1. There shall be raised by levying a tax by valuation upon the
2 assessed taxable property of the State, the following sums for the purposes
3 hereinafter set forth:

4 For general State purposes, to be designated "Revenue Fund," the sum of
5 fifteen million dollars (\$15,000,000), upon the assessed value of the property
6 for the year A. D. 1921; fifteen million dollars (\$15,000,000) upon the assessed
7 value of the property for the year A. D. 1922; and for State school purposes, to
8 be designated "State School Fund," the sum of eight million dollars (\$8,000,000),
9 upon the assessed taxable property for the year A. D. 1921, and the sum of eight
10 million dollars (\$8,000,000) upon the assessed taxable property for the year A. D.
11 1922, in lieu of the one and one-third mill tax.

Sec. 2. The Governor, the Auditor of Public Accounts and the State Treasurer shall, annually, compute the several rates per cent required to produce not less than the above amounts, anything in any other act providing a different manner of ascertaining the amount of revenue required to be levied for State purposes to the contrary notwithstanding; and when so ascertained, the Auditor of Public Accounts shall certify to the county clerk, the proper rates per cent therefore, and also such definite rates for other purposes as are now or may be hereafter provided by law, to be levied and collected as State taxes, and all other laws and parts of laws in conflict with this act are hereby repealed.

AMENDMENT TO

52d G. A.

HOUSE BILL NO. 864

1921



1 : Adopted June 10, 1921.

AMENDMENT NO. 1.

Amend original House Bill No. 864, on page 1, in Section 1, line 9, by insert-
2 ing after the words "State School Fund" the following words and figures "(or
3 Common School Fund)."



- 1 Introduced by Committee on Appropriations, June 8, 1921.
- 2 Read at large a first time, ordered printed and to a second reading.

A BILL

For an Act to provide for the ordinary and contingent expenses of the State government until the expiration of the first fiscal quarter after the adjournment of the next regular session of the General Assembly.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
represented in the General Assembly: That the following named sums, or so
much thereof as may be necessary, respectively, for the purposes hereinafter
named, be, and are hereby appropriated to meet the ordinary and contingent
expenses of the State government until the expiration of the first fiscal quarter
after the adjournment of the next regular session of the General Assembly:

GOVERNOR.

- (1) To the Governor:
- For SALARIES AND WAGES.....\$36,400.00
- For the following positions at not to exceed the annual rates herein
- specified:

5	1 Secretary	\$ 6,000 per annum	
6	1 Assistant Secretary.....	\$3,000 per annum	
7	1 Clerk	\$ 2,100 per annum	
8	1 Clerk	\$ 1,800 per annum	
9	1 Messenger	\$ 1,400 per annum	
10	1 Janitor	\$ 1,200 per annum	
11	Extra Help	\$ 2,700 per annum	
12	For OFFICE EXPENSES.....		\$ 9,000.00
13	For TRAVEL		\$ 7,500.00
14	For OPERATION		\$ 1,000.00..
15	For REPAIRS AND EQUIPMENT.....		\$ 2,900.00
16	For CONTINGENCIES.....		\$40,000.00
17	(Total for the Governor, \$96,800.00)		

EXECUTIVE MANSION.

(2) To the Governor for the Executive Mansion:

2	For SALARIES AND WAGES.....	\$17,000.00
3	For OPERATION	\$20,000.00
4	For REPAIRS AND EQUIPMENT.....	\$ 5,000.00
5	(Total for the Executive Mansion, \$42,000.00.)	

LIEUTENANT GOVERNOR.

(3) To the Lieutenant Governor:

2	For private secretary, and other employes, postage, expressage,	
3	telephoning, telegraphing, traveling expenses and other ex-	
4	penses connected with his office.....	\$18,000.00
5	(Total for the Lieutenant Governor, \$18,000.00.)	

SECRETARY OF STATE.

(4) To the Secretary of State:

2	For SALARIES AND WAGES.....	\$901,560.00
---	-----------------------------	--------------

3 For the following positions at not to exceed the annual rates herein-
 4 after specified:

5 General Office.

6	1 Chief Clerk.....	\$ 6,000 per annum
7	1 Clerk	\$ 4,000 per annum
8	2 Clerks at \$1,800.....	\$ 3,600 per annum
9	1 Clerk	\$ 2,000 per annum
10	1 Private Secretary.....	\$ 2,400 per annum
11	1 Private Stenographer and Clerk.....	\$ 1,500 per annum

12 Corporation Department.

13	1 Clerk	\$ 5,000 per annum
14	1 Clerk	\$ 3,600 per annum
15	1 Clerk	\$ 3,300 per annum
16	2 Clerks at \$2,700.....	\$ 5,400 per annum
17	3 Clerks at \$2,400.....	\$ 7,200 per annum
18	7 Clerks at \$2,100.....	\$14,700 per annum
19	6 Clerks at \$1,800.....	\$10,800 per annum
20	2 Clerks at \$1,650.....	\$ 3,300 per annum
21	3 Stenographers at \$1,500.....	\$ 4,500 per annum
22	2 Stenographers at \$1,320.....	\$ 2,640 per annum
23	7 Stenographers at \$1,200.....	\$ 8,400 per annum
24	1 Clerk	\$ 1,350 per annum

25 Executive Department.

26	1 Clerk	\$ 3,000 per annum
27	1 Clerk	\$ 1,800 per annum
28	1 Stenographer	\$1,500 per annum

29 Index Department.

30	1 Clerk	\$ 3,000 per annum
31	1 Clerk	\$ 2,400 per annum
32	2 Clerks at \$2,100.....	\$ 4,200 per annum

33	1 Clerk	\$ 1,200 per annum
34	Stenographer	\$ 1,500 per annum
35	1 Clerk	\$ 1,200 per annum

36 Shipping Department.

37	1 Clerk	\$ 3,000 per annum
38	2 Clerks at \$2,400.....	\$ 4,800 per annum
39	2 Clerks at \$2,100.....	\$ 4,200 per annum
40	12 Clerks at \$1,500.....	\$18,000 per annum
41	1 Stenographer	\$ 1,500 per annum

42 Supply Department.

43	1 Clerk	\$ 3,000 per annum
44	1 Clerk	\$ 2,400 per annum
45	4 Clerks at \$1,500.....	\$ 6,000 per annum
46	2 Clerks at \$1,200.....	\$ 2,400 per annum
47	1 Clerk	\$ 1,800 per annum

48 Securities Department.

49	1 Clerk	\$ 6,000 per annum
50	1 Clerk	\$ 4,000 per annum
51	3 Clerks at \$2,700.....	\$ 8,100 per annum
52	3 Clerks at \$2,400.....	\$ 7,200 per annum
53	1 Clerk	\$ 1,500 per annum
54	2 Stenographers at \$1,500.....	\$ 3,000 per annum

55 Court of Claims.

56	1 Clerk	\$ 2,400 per annum
----	---------------	--------------------

57 Automobile Department.

58	1 Clerk	\$ 4,000 per annum
59	3 Clerks at \$2,400.....	\$ 7,200 per annum
60	6 Clerks at \$2,100.....	\$12,600 per annum
61	3 Clerks at \$2,000.....	\$ 6,000 per annum
62	11 Clerks at \$1,800.....	\$19,800 per annum

63	3 Clerks at \$1,650.....	\$ 4,950 per annum
64	10 Clerks at \$1,500.....	\$15,000 per annum
65	5 Stenographers at \$1,500.....	\$ 7,500 per annum
66	3 Stenographers at \$1,320.....	\$ 3,960 per annum
67	3 Stenographers at \$1,200.....	\$ 3,600 per annum
68	Automobile Department (Chicago Office).	
69	1 Clerk	\$ 4,000 per annum
70	2 Clerks at \$2,400.....	\$ 4,800 per annum
71	5 Clerks at \$2,100.....	\$10,500 per annum
72	1 Clerk	\$ 1,800 per annum
73	1 Stenographer	\$ 1,500 per annum
74	1 Stenographer	\$ 1,320 per annum
75	State House and Power Plant.	
76	1 Superintendent of Capitol Buildings and	
77	Grounds	\$ 2,700 per annum
78	2 Assistant Superintendents of Capitol	
79	Buildings and Grounds at \$2,000	\$ 4,000 per annum
80	4 Window Washers at \$1,200.....	\$ 4,800 per annum
81	4 Window Washers at \$1,200 (new build-	
82	ings)	\$ 4,800 per annum
83	1 Coal Weigher	\$ 1,650 per annum
84	6 Polecemen at \$1,200.....	\$ 7,200 per annum
85	1 Carpenter	\$ 1,600 per annum
86	1 Caarpenter	\$ 1,500 per annum
87	1 Electrician	\$ 2,100 per annum
88	1 Electrician	\$ 1,800 per annum
89	10 Elevator Operators at \$1,200.....	\$12,000 per annum
90	8 Elevator Operators at \$1,200 (new build-	
91	ing)	\$ 9,600 per annum
92	1 Chief Engineer	\$ 3,600 per annum

93	1 Superintendent of Trucks.....	\$ 1,800 per annum	
94	5 Engineers at \$1,800.....	\$ 9,000 per annum	
95	9 Firemen at \$1,650.....	\$14,850 per annum	
96	1 Engineer (new building).....	\$ 1,800 per annum	
97	28 Janitors at \$1,200.....	\$33,600 per annum	
98	6 Janitors at \$1,200 (new building)	\$ 7,200 per annum	
99	1 Janitress	\$ 1,800 per annum	
100	1 Janitress (new building).....	\$ 1,080 per annum	
101	1 Plumber and Steam Fitter.....	\$ 1,800 per annum	
102	2 Ushers at \$1,500.....	\$ 3,000 per annum	
103	Extra Help, Office.....	\$17,500 per annum	
104	Extra Help, Plant.....	\$ 1,200 per annum	
105	Extra Janitors, during sessions of the Gen-		
106	eral Assembly.....	\$ 4,400 for biennium	
107	For OFFICE EXPENSES.....		\$201,000.00
108	For TRAVEL		\$ 20,000.00
109	For OPERATION		\$522,100.00
110	For REPAIRS AND EQUIPMENT.....		\$110,900.00
111	For Revolving Doors.....		\$ 3,000.00
112	For Fire-proof Vault.....		\$ 2,500.00
113	For Greenhouse		\$ 6,000.00
114	For Editing Blue Book.....		\$ 3,000.00
115	For Telephone Exchange.....		\$ 40,000.00
116	For Clearing Corporation Records.....		\$ 10,000.00
117	For Corporation Refunds.....		\$ 10,000.00
118	For Surety Bonds (Code Officers).....		\$ 5,000.00
119	For Contingencies		\$ 15,000.00
120	(Total for the Secretary of State, \$1,850,060.)		

ILLINOIS STATE LIBRARY.

(5) To the Secretary of State for the Illinois State Library:

2	For SALARIES AND WAGES.....	\$ 23,800.00
3	For the following positions at not to exceed the annual rates	
4	herein specified:	
5	1 Acting Librarian.....	\$ 2,100 per annum
6	1 Reference Librarian.....	\$ 1,620 per annum
7	2 Catalogers at \$1,320.....	\$ 2,640 per annum
8	1 Cataloger	\$ 1,200 per annum
9	1 Loan Desk Assistant.....	\$ 1,320 per annum
10	1 Stenographer	\$ 1,200 per annum
11	1 Binding Librarian.....	\$ 1,320 per annum
12	Extra Help.....	\$ 500 per annum
13	For OFFICE EXPENSES.....	\$ 2,500.00
14	For TRAVEL.....	\$ 750.00
15	For REPAIRS AND EQUIPMENT.....	\$ 10,650.00
16	For CONTINGENCIES.....	\$ 1,000.00
17	For Moving into Centennial Building.....	\$ 1,500.00
18	(Total for the Illinois State Library, \$40,200.)	

LIBRARY EXTENSION COMMISSION.

(6) To the Secretary of State for the Library Extension Commission:

2	For SALARIES AND WAGES.....	\$ 14,740.00
3	For the following positions at not to exceed the annual rates	
4	herein specified:	
5	1 Secretary	\$ 2,100 per annum
6	Assistant Librarian.....	\$ 1,320 per annum
7	1 Stenographer	\$ 1,200 per annum
8	1 Organizer	\$ 1,200 per annum
9	1 Clerk	\$ 1,200 per annum

10	Extra Help.....	\$ 350 per annum
11	For OFFICE EXPENSES.....	\$ 2,600.00
12	For TRAVEL.....	\$ 2,500.00
13	For REPAIRS AND EQUIPMENT.....	\$ 5,250.00
14	For Moving into Centennial Building.....	\$ 1,250.00
15	(Total for the Library Extension Commission, \$26,340.)	

AUDITOR OF PUBLIC ACCOUNTS.

(7) To the Auditor of Public Accounts:

2	For SALARIES AND WAGES.....	\$706,860.00
3	For the following positions at not to exceed the annual rates	
4	herein specified:	
5	For Examination of books and accounts of State	
6	departments	\$25,000 per annum
7	For Compiling inventory of State property....	\$ 2,000 per annum
8	For collecting principal and interest on regis-	
9	tered bonds.....	\$ 2,000 per annum
10	General Office.	
11	1 Secretary to Auditor.....	\$ 2,500 per annum
12	1 Stenographer for Auditor.....	\$ 1,500 per annum
13	1 Chief Clerk.....	\$ 6,000 per annum
14	1 Stenographer and Clerk.....	\$ 2,100 per annum
15	1 Chief Warrant Clerk.....	\$ 3,300 per annum
16	1 Assistant Chief Warrant Clerk.....	\$ 3,000 per annum
17	1 Assistant Chief Warrant Clerk.....	\$ 2,500 per annum
18	7 Warrant Clerks at \$2,100.....	\$14,700 per annum
19	2 Warrant Clerks at \$2,100.....	\$ 4,200 per annum
20	1 Journal Clerk.....	\$ 2,700 per annum
21	1 Assistant Journal Clerk.....	\$ 2,400 per annum
22	1 Chief Revenue Clerk.....	\$ 3,300 per annum

23	1 Assistant Revenue Clerk.....	\$ 1,800 per annum
24	1 Bookkeeper and Clerk.....	\$ 2,700 per annum
25	1 Assistant Bookkeeper and Clerk.....	\$ 1,800 per annum
26	1 Land Clerk.....	\$ 3,000 per annum
27	1 File and Index Clerk.....	\$ 1,800 per annum
28	1 Stenographer and Clerk.....	\$ 1,500 per annum
29	1 Stenographer and Clerk.....	\$ 1,200 per annum
30	1 Mailing Clerk.....	\$ 1,500 per annum
31	1 Messenger and Clerk.....	\$ 1,350 per annum
32	2 Clerks at \$1,200.....	\$ 2,400 per annum
33	Extra Clerk hire.....	\$10,000 per annum

Banking Department.

General Office.

36	1 Chief Bank Examiner.....	\$ 6,000 per annum
37	1 Secretary to Chief Bank Examiner.....	\$ 1,800 per annum
38	1 Special Examiner.....	\$ 4,000 per annum
39	1 Special Examiner.....	\$ 4,000 per annum

Chicago and Cook County.

41	1 Assistant Chief Bank Examiner.....	\$ 5,000 per annum
42	3 Bank Examiners at \$4,000.....	\$12,000 per annum
43	6 Assistant Bank Examiners at \$3,000....	\$18,000 per annum
44	1 Verification Clerk.....	\$ 2,700 per annum
45	1 File and Statistical Clerk.....	\$ 2,500 per annum
46	1 Stenographer and Clerk.....	\$ 1,800 per annum
47	1 Stenographer and Clerk.....	\$ 1,500 per annum

Springfield Office.

49	1 Assistant to Chief Bank Examiner.....	\$ 4,800 per annum
50	1 Bond Clerk.....	\$ 2,500 per annum
51	2 Verification Clerks at \$2,500.....	\$ 5,000 per annum
52	1 Securities Clerk.....	\$ 3,000 per annum

53	1 Clerk and Bookkeeper.....	\$ 2,100 per annum
54	1 Clerk (Vault).....	\$ 2,100 per annum
55	1 Clerk (and Proof-reader).....	\$ 1,800 per annum
56	1 Proof-reader and Clerk.....	\$ 1,800 per annum
57	1 Stenographer and Clerk.....	\$ 1,800 per annum
58	1 Stenographer and Clerk.....	\$ 1,080 per annum
59	3 Stenographers and Clerks at \$1,200....	\$ 3,600 per annum
60	1 Messenger and Clerk.....	\$ 1,200 per annum

Northern Illinois.

62	1 Assistant Chief Bank Examiner.....	\$ 5,000 per annum
63	1 Stenographer and Clerk.....	\$ 1,800 per annum
64	6 Bank Examiners at \$4,000.....	\$24,000 per annum
65	8 Assistant Bank Examiners at \$3,000....	\$24,000 per annum

Southern Illinois.

67	1 Assistant Chief Bank Examiner.....	\$ 5,000 per annum
68	1 Stenographer and Clerk.....	\$ 1,500 per annum
69	6 Bank Examiners at \$4,000.....	\$24,000 per annum
70	7 Assistant Bank Examiners at \$3,000 ...	\$21,000 per annum
71	Extra Examiners.....	\$10,000 per annum

Building and Loan.

General Office.

74	1 Chief Building and Loan Examiner.....	\$ 4,500 per annum
75	1 Stenographer and Clerk.....	\$ 1,800 per annum

Cook County.

77	1 Assistant Chief Building and Loan Exam-	
78	iner	\$ 3,300 per annum
79	3 Building and Loan Examiners at \$3,000..	\$ 9,000 per annum
80	1 Mortgage Clerk.....	\$ 1,500 per annum
81	1 Stenographer and Clerk.....	\$ 1,500 per annum
82	1 Clerk	\$ 1,800 per annum

Down State.

83		
84	1 Building and Loan Examiner.....	\$ 3,300 per annum
85	1 Building and Loan Examiner.....	\$ 3,000 per annum
86	1 Building and Loan Examiner.....	\$ 2,700 per annum
87	1 Building and Loan Examiner.....	\$ 2,400 per annum

Springfield Office.

88		
89	2 Clerks at \$3,000.....	\$ 6,000 per annum
90	For OFFICE EXPENSES.....	\$ 39,700.00
91	For TRAVEL	\$190,000.00
92	For OPERATION	\$ 1,000.00
93	For REPAIRS AND EQUIPMENT.....	\$ 8,000.00
94	For CONTINGENCIES	\$ 4,000.00
95	(Total for the Auditor of Public Accounts, \$949,560.)	

(8) To the Auditor of Public Accounts:

2	For REFUND OF TAXES.....	\$ 22,500.00
3	For the refund of taxes paid in excess out of the Com-	
4	mon School Fund.....	\$ 500
5	For the refund of taxes paid in excess out of the Uni-	
6	versity of Illinois Fund.....	\$ 500
7	For the refund of taxes paid in excess out of the Rev-	
8	enue Fund.....	\$ 1,500
9	For the refund of inheritance tax overpaid.....	\$20,000
10	For the use of the State Institutions Teachers' Pension and Re-	
11	tirement Fund the sum of \$10,000 for the biennium ending June	
12	30, 1923.....	\$ 10,000.00
13	For pensions of Judges, who on retirement from service, as pro-	
14	vided by law, are entitled to pensions payable out of the State	
15	Treasury	\$ 50,000.00
16	(Total for the Auditor of Public Accounts for the above purposes, \$82,500.)	

(9) To the Auditor of Public Accounts:

2 For apprehension and delivery of fugitives from justice:

3 For the payment of expenses provided by law for the appre-
 4 hension and delivery of fugitives from justice, to be paid on
 5 bills certified to and approved by the Governor..... \$ 40,000.00

6 For reward for arrests of fugitives:

7 For the payment of rewards for arrests of fugitives from
 8 justice to be paid on bills of particulars having the approval
 9 of the Governor endorsed thereon \$ 4,000.00

10 (Total to the Auditor of Public Accounts for the above purposes, \$44,000.)

(10) To the Auditor of Public Accounts:

2 The Common School Fund; to be apportioned and paid

3 as required by Section 211 of "An Act to establish

4 and maintain a system of free schools," approved

5 and in force June 12, 1909, as amended..... \$ 8,000,000 per annum

(11) To the Auditor of Public Accounts:

2 For the payment of the interest on the school fund,

3 distributed annually in pursuance of law; said amount

4 to be payable from the State Revenue Fund..... \$ 57,000 per annum

STATE TREASURER.

(12) To the State Treasurer:

2 For SALARIES AND WAGES..... \$ 262,600.00

3 For the following positions at not to exceed the annual rates herein

4 specified:

5 1 Assistant Treasurer and Clerk.....\$ 6,000 per annum

6 1 Chief Clerk\$ 4,000 per annum

7 1 Fiscal Clerk\$ 2,000 per annum

8 1 Paying Teller and Clerk.....\$ 3,000 per annum

9 1 Assistant Paying Teller and Clerk\$ 2,400 per annum

10	1 Cashier and Securities Clerk.....	\$ 3,600 per annum	
11	1 Interest and Coupon Clerk.....	\$ 2,100 per annum	
12	1 Appropriation Clerk	\$ 2,500 per annum	
13	1 Assistant Appropriation Clerk.....	\$ 2,100 per annum	
14	1 Record Clerk	\$ 2,100 per annum	
15	1 Clerk and Bookkeeper.....	\$ 2,700 per annum	
16	5 Warrant Clerks at \$2,100.....	\$10,500 per annum	
17	2 Stenographers and Clerks at \$1,500.....	\$ 3,000 per annum	
18	Private Secretary and Clerk.....	\$ 1,500 per annum	
19	9 Guards at \$1,200.....	\$10,800 per annum	
20	Extra Clerk Hire.....	\$ 3,000 per annum	
21	Fees and expenses in examining and inves-		
22	tigating titles and other contracts on		
23	loans made for Teachers' Pension and		
24	Retirement Fund	\$ 2,500 per annum	
25	Fees, clerk hire and expenses in handling		
26	collateral	\$15,000 per annum	
27	Expert service, investigators, clerks and ex-		
28	penses in investigating and collecting		
29	Inheritance Taxes	\$50,000 per annum	
30	Receiving and disbursing Registered Bond		
31	Fund and State Road Fund.....	\$ 2,000 per annum	
32	For OFFICE EXPENSES.....		\$ 36,090.00
33	For TRAVEL		\$ 3,000.00
34	For REPAIRS AND EQUIPMENT.....		\$ 8,400.00
35	(Total for the State Treasurer \$310,090.)		

FOR THE RETIREMENT OF AND PAYMENT OF INTEREST ON BONDS.

(13) To the State Treasurer:

- 2 For the retirement of Illinois Waterway bonds, issued in pursu-
- 3 ance of "An Act authorizing the issuance of bonds of the

4	State of Illinois for the construction of 'The Illinois Water-	
5	way,' including the erection and equipment of power plants,	
6	locks, bridges, dams and appliances and providing for the pay-	
7	ment thereof," approved June 17, 1919, in force July 1, 1919;	
8	payable from the proceeds of the tax levied in pursuance of	
9	said act	\$2,000,000.00
10	For the payment of interest on Illinois Waterway bonds, issued in	
11	pursuance of "An Act authorizing the issuance of bonds of the	
12	State of Illinois for the construction of 'The Illinois Water-	
13	way,' including the erection and equipment of power plants,	
14	locks, bridges, dams and appliances and providing for the pay-	
15	ment thereof," approved June 17, 1919, in force July 1, 1919;	
16	payable from the proceeds of the tax levied in pursuance of	
17	said act	\$80,000.00
18	For the payment of interest on any and all bonds issued in pusu-	
19	ance of "An Act in relation to the construction by the State	
20	of Illinois, of a State-wide system of durable hard-surfaced	
21	roads upon public highways of the State and the provision of	
22	means for the payment of the cost thereof by an issue of bonds	
23	of the State of Illinois," approved June 22, 1917, in force July	
24	1, 1917; payable from the Road Fund	\$1,000,000.00
25	(Total for Interest and Retirement of Bonds, \$3,080,000.00.)	

SUPERINTENDENT OF PUBLIC INSTRUCTION.

(14) To the Superintendent of Public Instruction:

2	For SALARIES AND WAGES.....	\$ 87,300.00
3	For the following positions at not to exceed the annual rates herein	
4	specified:	
5	1 Supervisor of High Schools.....	\$ 5,000 per annum
6	1 Supervisor of High Schools.....	\$ 3,600 per annum

7	3 Assistant Superintendents at \$3,600.....	\$10,800 per annum	
8	1 Chief Clerk	\$ 3,600 per annum	
9	1 Text Book Clerk.....	\$ 2,600 per annum	
10	1 Statistical Clerk	\$ 3,000 per annum	
11	1 Statistical Clerk	\$ 2,500 per annum	
12	2 Stenographers at \$1,500.....	\$ 3,000 per annum	
13	2 Stenographers at \$1,320.....	\$ 2,640 per annum	
14	2 Stenographers at \$1,200.....	\$ 2,400 per annum	
15	1 Clerk	\$ 2,160 per annum	
16	1 Messenger	\$ 1,200 per annum	
17	Extra Help	\$ 1,000 per annum	
18	Conducting teachers' examination for State		
19	Certificate	\$ 150 per annum	
20	For OFFICE EXPENSES.....		\$ 10,000.00
21	For TRAVEL		\$ 15,000.00
22	For REPAIRS AND EQUIPMENT.....		\$ 2,500.00
23	For CONTINGENCIES		\$ 2,000.00
24	For constructing booths for educational exhibit at the State Fair..		\$ 500.00
25	For Compensation Deputy Examiners conducting entrance examin-		
26	ations to medical and dental colleges		\$ 6,000.00
27	(Total for the Superintendent of Public Instruction \$123,300.)		

STATE TEACHERS' EXAMINING BOARD.

(15) To the Superintendent of Public Instruction for the State Teachers' Examining Board:

2	For SALARIES AND WAGES.....	\$ 28,040.00
3	For the following positions at not to exceed the annual rates herein	
4	specified:	
5	1 Secretary	\$ 4,000 per annum
6	1 Stenographer	\$ 1,320 per annum

7	1 Stenographer	\$ 1,200 per annum
8	For Transient Teachers to grade examination	
9	papers (3 State examinations)	\$ 7,500 per annum
10	For OFFICE EXPENSES.....	\$ 1,500.00
11	For TRAVEL	\$ 2,400.00
12	For REPAIRS AND EQUIPMENT.....	\$ 1,100.00
13	For CONTINGENCIES	\$ 200.00
14	(Total for the State Examining Board \$33,240.)	

ATTORNEY GENERAL.

(16) To the Attorney General:

2	For SALARIES AND WAGES.....	\$745,320.00
3	For the following positions at not to exceed the annual rates herein specified:	
4	SPRINGFIELD OFFICE.	
5	1 First Assistant Attorney General	\$ 7,500 per annum
6	4 Assistant Attorneys General at \$6,000 ..	\$24,000 per annum
7	2 Assistant Attorneys General at \$5,000 ...	\$10,000 per annum
8	3 Assistant Attorneys General at \$4,000...	\$12,000 per annum
9	2 Assistant Attorneys General at \$3,500...	\$ 7,000 per annum
9½	1 Brief Maker	\$ 3,000 per annum
10	1 Inheritance Tax Assistant.....	\$ 2,800 per annum
11	1 Law Clerk	\$ 2,200 per annum
12	1 Clerk	\$ 1,800 per annum
13	1 Docket Assistant	\$ 1,800 per annum
14	1 Private Secretary	\$ 2,500 per annum
15	2 Stenographers at \$1,500.....	\$ 3,000 per annum
16	3 Stenographers at \$1,320.....	\$ 3,960 per annum
17	3 Stenographers at \$1,200.....	\$ 3,600 per annum
18	1 Messenger and Clerk.....	\$ 1,300 per annum
19	1 Janitor and Clerk.....	\$ 1,200 per annum
20	1 Janitress	\$ 300 per annum

CHICAGO OFFICE.

21	
22	3 Assistant Attorneys General at \$1,800...\$ 5,400 per annum
23	1 Clerk\$ 1,800 per annum
24	3 Assistant Clerks at \$1,500.....\$ 4,500 per annum
25	1 Stenographer\$ 1,500 per annum
26	5 Stenographers at \$1,500.....\$ 7,500 per annum
27	1 Telephone Operator\$ 1,000 per annum
28	1 Chief Clerk\$ 2,500 per annum
29	Court Reporting\$ 3,000 per annum
30	Special Investigation and the collection of
31	Inheritance Tax in Cook County.....\$16,000 per annum
32	For attorneys for the Department of Fi-
33	nance, Agriculture, Labor, Mines and Min-
34	erals, Public Works and Buildings, Public
35	Welfare, Public Health, Trade and Com-
36	merce, Registration and Education; for the
37	Public Utilities Commission, for legal work
38	in connection with the construction of good
39	roads; litigation in connection with the
40	waterway; enforcement of the "Blue Sky"
41	Law; for the employment of special assist-
42	ants, special attorneys, investigators, brief
43	writers and extra help; for court costs in
44	United States courts and state courts; ex-
45	penses of conducting investigations; prepa-
46	ration and trial of suits and appeals in the
47	United States courts and courts in this and
47½	other states .....\$145,000 per annum
48	For employing special counsel, traffic experts,
49	accountants, stenographers, clerks and oth-
50	er necessary assistants in the litigation be-

51	tween the State of Illinois or the people	
52	of the State of Illinois and Illinois Central	
53	Railroad Company in the courts of this	
54	State or in the courts of the United States,	
55	including court costs and the pro rata	
56	share of commissioners' fees now due or	
57	that may hereafter accrue, and for the	
58	purpose of defraying the costs and expen-	
59	ses of an accounting in such litigation and	
60	for the hearing and completion of such	
61	litigation	\$50,000 per annum
62	For costs and expenses in disbarment pro-	
63	ceedings	\$ 5,000 per annum
64	For employment of Inheritance Tax Attor-	
65	neys outside of Cook County.....	\$41,500 per annum
66	For OFFICE EXPENSES.....	\$ 69,000.00
67	For TRAVEL	\$ 30,000.00
68	For REPAIRS AND EQUIPMENT.....	\$ 11,000.00
69	For Dissolution of defunct corporations	\$ 70,000.00
70	(Total for the Attorney General, \$925,320.)	

SUPREME COURT.

(17) To the Supreme Court:

2	For SALARIES AND WAGES.....	\$ 47,800.00
3	For the following position at not to exceed the annual rates herein specified:	
4	1 Custodian	\$ 1,000 per annum
5	1 Head Janitor	\$ 1,500 per annum
6	4 Janitors at \$1,200.....	\$ 4,800 per annum
7	1 Messenger	\$ 1,200 per annum
8	2 Elevator Conductors at \$1,200.....	\$ 2,400 per annum
9	1 Yard Man	\$ 1,200 per annum

10	1 Watchman	\$ 1,200 per annum
11	1 Engineer and Electrician.....	\$ 2,400 per annum
12	1 Librarian	\$ 4,000 per annum
13	1 Assistant Librarian	\$ 1,800 per annum
14	1 Matron	\$ 1,200 per annum
15	Stenographic Work	\$ 1,200 per annum
16	For EQUIPMENT	\$ 12,000.00
17	For ADDITIONAL LIBRARY STACKS	\$ 30,000.00
18	For REPAIRS, MAINTENANCE AND OFFICE EXPENSES....	\$ 20,000.00
19	For RENT, TRAVEL AND CONTINGENCIES	\$ 20,000.00
20	(Total for the Supreme Court, \$129,800.00.)	

CLERK OF THE SUPREME COURT.

(18) To the Clerk of the Supreme Court:

2	For SALARIES AND WAGES	\$ 24,500.00
3	For the following positions at not to exceed the annual rates herein	
4	specified:	
5	1 Chief Clerk	\$ 3,600 per annum
6	1 Clerk	\$ 2,400 per annum
7	1 Court Reporter and Stenographer	\$2,100 per annum
8	1 Docket Clerk.....	\$ 1,800 per annum
9	1 Stenographer	\$ 1,200 per annum
10	Janitor Service	\$ 600 per annum
11	Extra Help.....	\$ 350 per annum
12	Fees	\$ 200 per annum
13	For OFFICE EXPENSES.....	\$ 3,000.00
14	For REPAIRS AND EQUIPMENT.....	\$ 600.00
15	For CONTINGENCIES	\$ 400.00
16	(Total for the Clerk of the Supreme Court, \$28,500.00)	

SUPREME COURT REPORTER.

(19) To the Supreme Court Reporter:

2	For SALARIES AND WAGES.....	\$ 1,440.00
2½	1 Custodian and messenger at not to exceed.	\$ 720 per annum
3	For the expense of printing in advance the	
4	opinions of the Supreme Court, and of	
5	distributing printed proof thereof to the	
6	several members of the court and also to	
7	the Attorney General in such cases as the	
8	State may be interested, together with the	
9	expenses of transmitting such proofs and	
10	the original opinions by mail, and express,	
11	and to make printers' corrections in said	
12	proofs after final adoption.....	\$ 3,000 per annum
13	(Total for the Supreme Court Reporter, \$4,440.00.)	

APPELLATE COURTS.

(20) To the Appellate Court of the First District:

2	For SALARIES AND WAGES.....	\$ 14,800.00
3	For the following positions at not to exceed the annual rates herein	
4	specified:	
5	3 Court Stenographers at \$1,800.....	\$ 5,400 per annum
6	1 Librarian	\$ 800 per annum
7	1 Telephone Operator	\$ 1,200 per annum
8	For OFFICE EXPENSES	\$ 97,678.00
9	For TRAVEL FOR JUDGES assigned to said First District from	
10	other Appellate Court Districts.....	\$ 3,000.00
11	For REPAIRS AND EQUIPMENT.....	\$ 7,200.00
12	For CONTINGENCIES	\$ 800.00
13	(Total for the Appellate Court of the First District, \$123,478.00.)	

(21) To the Appellate Court of the Second District:

2	For SALARIES AND WAGES.....	\$ 7,200.00
3	For the following positions at not to exceed the annual rates herein	
4	specified:	
5	1 Court Stenographer.....	\$ 1,800 per annum
6	1 Fireman and Janitor.....	\$ 1,200 per annum
7	1 Librarian	\$ 600 per annum
8	For OFFICE EXPENSES.....	\$ 1,700.00
9	For TRAVEL FOR JUDGES.....	\$ 1,500.00
10	For OPERATION	\$ 2,400.00
11	For REPAIRS AND EQUIPMENT.....	\$ 5,000.00
12	For Building and Equipping Vault.....	\$ 6,000.00
13	For Public Improvement Assessment.....	\$ 145.00
14	For CONTINGENCIES.....	\$ 400.00
15	(Total for the Appellate Court of the Second District, \$24,345.45.)	

(22) To the Appellate Court of the Third District:

2	For SALARIES AND WAGES.....	\$ 6,000.00
3	For the following positions at not to exceed the annual rates	
4	herein specified:	
5	1 Court Stenographer.....	\$ 1,800 per annum
6	1 Janitor	\$ 1,200 per annum
7	For OFFICE EXPENSES.....	\$ 2,000.00
8	For TRAVEL FOR JUDGES.....	\$ 2,500.00
9	For REPAIRS AND EQUIPMENT.....	\$ 100.00
10	For CONTINGENCIES	\$ 400.00
11	(Total for the Appellate Court of the Third District, \$11,000.00.)	

(23) To the Appellate Court of the Fourth District:

2	For SALARIES AND WAGES.....	\$ 7,200.00
3	For the following positions at not to exceed the annual rates	
4	herein specified:	

5	1 Court Stenographer.....	\$ 1,800 per annum
6	1 Fireman and Janitor.....	\$ 1,200 per annum
7	1 Librarian	\$ 600 per annum
8	For OFFICE EXPENSES	\$ 600.00
9	For TRAVEL FOR JUDGES.....	\$ 2,500.00
10	For OPERATION	\$ 1,850.00
11	For REPAIRS AND EQUIPMENT.....	\$ 4,830.00
12	For CONTINGENCIES	\$ 400.00
13	(Total for the Appellate Court of the Fourth District, \$17,380.00.)	

GENERAL ASSEMBLY.

(24) To the General Assembly:

2	For the expenses of committees of the Fifty-third General As-	
3	sembly, the sum of \$35,500 as follows: \$25,000 for the ex-	
4	penses of committees of the House of Representatives, and	
5	\$10,500 for the expenses of committees of the Senate.....	\$ 35,500.00
6	For the incidental expenses of the Fifty-third General Assembly,	
7	the sum of \$27,500 as follows: \$17,000 for the incidental ex-	
8	penses of the House of Representatives, and \$10,500 for the in-	
9	cidental expenses of the Senate.....	\$ 27,500.00
10	For the per diem of the officers and employees of the Fifty-third	
11	General Assembly the sum of \$115,000 as follows: \$70,000 for	
12	the per diem of the officers and employees of the House of Rep-	
13	resentatives, and \$45,000 for the per diem of the officers and	
14	employees of the Senate.....	\$115,000.00
15	(Total for the Fifty-third General Assembly, \$178,000.00.)	

RESERVE.

(25) To the Department of Finance:

3	For Reserve.....	\$500,000.00
---	------------------	--------------

To be apportioned between the Executive, Judicial and Military Departments of the State Government and allotted as emergencies arise by the Director of Finance with the approval in writing of the Governor.

DEPARTMENT OF FINANCE.

(26) To the Department of Finance:

2	For SALARIES AND WAGES.....	\$ 69,000.00
3	For the following positions at not to exceed the annual rates	
4	herein specified:	
5	1 Private Secretary.....	\$ 2,400 per annum
6	3 Bookkeepers at \$1,800.....	\$ 5,400 per annum
7	1 Bookkeeper	\$ 1,500 per annum
8	1 Efficiency Examiner.....	\$ 3,000 per annum
9	1 Stenographer and File Clerk.....	\$ 1,500 per annum
10	1 Stenographer and Audit Clerk.....	\$ 1,800 per annum
11	2 Stenographers and Audit Clerk at \$1,500.	\$ 3,000 per annum
12	1 Stenographer and Audit Clerk.....	\$ 1,500 per annum
13	2 Stenographers at \$1,200.....	\$ 2,400 per annum
14	1 Stenographer	\$ 1,500 per annum
15	1 Messenger and Clerk.....	\$ 1,300 per annum
16	1 Messenger	\$ 1,200 per annum
17	Consultation Fees.....	\$ 3,000 per annum
18	Extra Help.....	\$ 2,000 per annum
19	1 Requisition Supervisor.....	\$ 3,000 per annum
20	For OFFICE EXPENSES.....	\$ 3,000.00
21	For TRAVEL	\$ 4,000.00
22	For REPAIRS AND EQUIPMENT.....	\$ 2,500.00
23	For CONTINGENCIES	\$ 2,000.00
24	For Investigating Sources of Revenue.....	\$ 5,000.00
25	(Total for the Department of Finance, \$85,500.00.)	

Division of Tax Commission.

(27) To the Department of Finance:

2	For SALARIES AND WAGES.....	\$ 51,360.00
3	For the following positions at not to exceed the annual rates	
4	herein specified:	
5	1 Chief Clerk.....	\$ 2,500 per annum
6	1 Stenographer and Audit Clerk.....	\$ 1,500 per annum
7	3 Stenographers at \$1,200.....	\$ 3,600 per annum
8	1 Multigraph Operator.....	\$ 1,500 per annum
9	2 Tax Clerks at \$2,100.....	\$ 4,200 per annum
10	1 Tax Clerk.....	\$ 1,800 per annum
11	1 File Clerk.....	\$ 1,500 per annum
12	1 Messenger	\$ 1,200 per annum
13	Extra Clerk Hire.....	\$ 5,400 per annum
14	Janitor Service.....	\$ 480 per annum
15	Reporting Hearings and Compiling Laws..	\$2,000 per annum
16	For OFFICE EXPENSES.....	\$ 10,800.00
17	For TRAVEL	\$ 2,000.00
18	For REPAIRS AND EQUIPMENT.....	\$ 4,000.00
19	For CONTINGENCIES	\$ 2,000.00
20	For Assessment and Investigations.....	\$ 40,000.00
21	(Total for the Tax Commission, \$110,160.00.)	

DEPARTMENT OF AGRICULTURE.

General Office.

(28) To the Department of Agriculture:

2	For SALARIES AND WAGES.....	\$ 27,600.00
3	For the following positions at not to exceed the annual rates	
4	herein specified:	
5	1 Private Secretary.....	\$ 2,400 per annum
6	1 Superintendent of Crop Reports.....	\$ 3,000 per annum

7	1 Stenographer and Bookkeeper.....	\$ 1,500 per annum	
8	1 Stenographer	\$ 1,200 per annum	
9	1 File Clerk.....	\$ 1,500 per annum	
10	1 Messenger	\$ 1,200 per annum	
11	Extra Help.....	\$ 3,000 per annum	
12	For OFFICE EXPENSES.....		\$ 5,000.00
13	For TRAVEL		\$ 7,000.00
14	For OPERATION		\$ 100.00
15	For REPAIRS AND EQUIPMENT.....		\$ 1,900.00
16	For CONTINGENCIES		\$ 4,000.00
17	(Total for General Office, Department of Agriculture, \$45,600.00.)		

Division of Seed Inspection.

(29) To the Department of Agriculture:

2	For SALARIES AND WAGES.....		\$ 23,100.00
3	For the following positions at not to exceed the annual rates		
4	herein specified:		
5	1 Chief Seed Analyst.....	\$ 2,750 per annum	
6	1 Seed Inspector.....	\$ 1,800 per annum	
7	1 Seed Inspector.....	\$ 1,500 per annum	
8	1 Seed Analyst.....	\$ 1,800 per annum	
9	1 Stenographer and Clerk.....	\$ 1,200 per annum	
10	Extra Help.....	\$ 2,500 per annum	
11	For OFFICE EXPENSES.....		\$ 2,700.00
12	For TRAVEL		\$ 6,000.00
13	For OPERATION		\$ 300.00
14	For REPAIRS AND EQUIPMENT.....		\$ 800.00
15	(Total for Seed Inspection, \$32,900.00.)		

Division of Game and Fish.

(30) To the Department of Agriculture:

2	For SALARIES AND WAGES.....		\$304,400.00
---	-----------------------------	--	--------------

3 For the following positions at not to exceed the annual rates
4 herein specified:

5	2 Assistant Superintendents in Fish Cul-	
6	ture, at \$3,000.....	\$ 6,000 per annum
7	7 Inspectors at \$2,000.....	\$14,000 per annum
8	5 Investigators at \$1,800.....	\$ 9,000 per annum
9	15 Investigators at \$1,500.....	\$22,500 per annum
10	60 Investigators at \$1,200	\$72,000 per annum
11	1 Chief Clerk.....	\$ 2,000 per annum
12	1 Stenographer and Bookkeeper.....	\$ 1,800 per annum
13	1 Messenger	\$ 1,200 per annum
14	3 Stenographers at \$1,200.....	\$ 3,600 per annum
15	1 Chief Assistant.....	\$ 2,400 per annum
16	1 Pilot Engineer.....	\$ 1,800 per annum
17	1 Watchman	\$ 900 per annum
18	Extra Help.....	\$15,000 per annum
19	For OFFICE EXPENSES.....	\$ 14,000.00
20	For TRAVEL	\$ 70,000.00
21	For OPERATION	\$ 18,000.00
22	For REPAIRS AND EQUIPMENT.....	\$ 20,000.00
23	For PERMANENT IMPROVEMENTS.....	\$ 20,000.00
24	For LAND	\$ 15,000.00
25	(Total for Game and Fish, \$461,400.00.)	

Division of Animal Industry.

(30) To the Department of Agriculture:

2	For SALARIES AND WAGES.....	\$ 96,880.00
3	For the following positions at not to exceed the annual rates herein	
4	specified:	
5	1 Stenographer	\$ 1,500 per annum
6	4 Stenographers at \$1,200.....	\$ 4,800 per annum

7	1 Bookkeeper and Clerk.....	\$ 1,500 per annum
8	1 Chief Live Stock Inspector.....	\$ 2,700 per annum
10	1 Live Stock Inspector.....	\$ 2,000 per annum
11	12 State Agents at \$2,100.....	\$25,200 per annum
12	1 Clerk	\$ 1,200 per annum
13	1 Superintendent of Stallion Registration ..	\$ 2,400 per annum
14	1 Messenger	\$ 1,200 per annum
15	For per diem Assistant State Veterinarians	
16	at not to exceed \$8 per day.....	\$ 5,000 per annum
17	Extra Clerk Hire.....	\$ 700 per annum
18	Janitor Service	\$ 240 per annum
19	For OFFICE EXPENSES	\$ 8,000.00
20	For TRAVEL	\$ 15,000.00
21	For OPERATION	\$ 20,740.00
22	For REPAIRS AND EQUIPMENT.....	\$ 800.00
23	For Tuberculosis Eradication:.....	\$150,000.00
24	(Total for Animal Industry, \$291,420.00.)	

Division of Apiary Inspection.

(31) To the Department of Agriculture:

2	For SALARIES AND WAGES.....	\$ 3,880.00
3	For per diem of Chief Inspector at not to exceed \$7.00 and per diem	
4	of Inspectors at not to exceed \$6.00:	
5	For OFFICE EXPENSES.....	\$ 100.00
6	For TRAVEL	\$ 2,020.00
7	(Total for Division of Apiary Inspection, \$6,000.00.)	

Division of Plant Industry.

(32) To the Department of Agriculture:

2	For SALARIES AND WAGES.....	\$ 23,900.00
3	For the following positions at not to exceed the annual rates herein	
4	specified:	

5	1 Chief Inspector	\$ 2,750 per annum
6	1 Stenographer	\$ 1,200 per annum
7	For Nursery Inspectors and extra help ...	\$ 8,000 per annum
8	For OFFICE EXPENSES.....	\$ 1,100.00
9	For TRAVEL	\$ 18,000.00
10	For OPERATION	\$ 1,200.00
11	For REPAIRS AND EQUIPMENT.....	\$ 990.00
12	For CONTINGENCIES	\$ 400.00
13	(Total for Division of Plant Industry, \$45,590.00.)	

Division of Foods and Dairies.

(33) To the Department of Agriculture:

2	For SALARIES AND WAGES.....	\$277,900.00
3	For the following positions at not to exceed the annual rates here-	
4	in specified:	
5	1 Assistant Superintendent	\$ 3,600 per annum
6	1 State Analyst	\$ 3,600 per annum
7	1 Bacteriologist	\$ 2,400 per annum
8	1 Bacteriologist	\$ 1,800 per annum
9	3 Farm Produce Investigators at \$2,400 ..	\$ 7,200 per annum
10	1 Chief Clerk	\$ 2,500 per annum
11	1 Assistant Chief Clerk.....	\$ 2,100 per annum
12	3 Stenographers at \$1,500.....	\$ 4,500 per annum
13	1 License Clerk	\$ 1,800 per annum
14	1 Department Editor	\$ 2,100 per annum
15	1 Department Clerk	\$ 1,800 per annum
16	1 Department Clerk	\$ 1,200 per annum
17	1 File Clerk	\$ 1,200 per annum
18	1 Janitor	\$ 1,200 per annum
19	1 Custodian of Laboratory.....	\$ 1,200 per annum
20	17 Chemists	\$32,000 first year

21 17 Chemists\$33,000 second year

22 Salaries to be paid Chemists to be deter-
 23 mined as follows: The base pay for
 24 Chemists employed on and before July
 25 1, 1921, is to be the rate of pay received
 26 during the then preceding month; the base
 27 pay for Chemists employed after that date
 28 is to be \$1,800 per annum. At the end
 29 of each year of continuous service after
 30 July 1, 1921, an increase may, in the
 31 discretion of the Director be added of
 32 \$100 per year until a maximum of \$3,000
 33 is attained; but this shall not be held to
 34 restrict the right to discharge Chemists.

35 34 Inspectors\$67,300 first year

36 34 Inspectors\$68,900 second year

37 Salaries to be paid Inspectors to be deter-
 38 mined as follows: The base pay for In-
 39 spectors employed on and before July 1,
 40 1921, is to be the rate of pay received
 41 during the then preceding month; the
 42 base pay for Inspectors employed after
 43 that date is to be \$1,800 per annum. At
 44 the end of each year of continuous service
 45 after July 1, 1921, an increase may, in the
 46 discretion of the Director, be added of
 47 \$100 per year until a maximum of \$2,800 is
 48 attained; but this shall not be held to re-
 49 strict the right to discharge Inspectors.

50 For OFFICE EXPENSES..... \$ 34,000.00

51	For TRAVEL	\$ 82,000.00
52	For OPERATION	\$ 2,800.00
53	For REPAIRS AND EQUIPMENT.....	\$ 12,190.00
54	For CONTINGENCIES	\$ 2,000.00
55	(Total for Foods and Dairies, \$410,890.00.)	

Division of Dairy Extension.

(34) To the Department of Agriculture:

2	For SALARIES AND WAGES.....	\$ 19,000.00
3	For the following positions at not to exceed the annual rates herein	
4	specified:	
5	1 Superintendent	\$ 3,000 per annum
6	1 Stenographer and Bookkeeper.....	\$ 1,500 per annum
7	Extra office help—dairy speakers, publicity	
8	men and laborers.....	\$ 5,000 per annum
9	For OFFICE EXPENSES.....	\$ 1,200.00
10	For TRAVEL	\$ 8,800.00
11	For REPAIRS AND EQUIPMENT.....	\$ 2,400.00
12	For CONTINGENCIES	\$ 400.00
13	(Total for Division of Dairy Extension, \$31,800.00.)	

Division of State Fair.

(35) To the Department of Agriculture:

2	For SALARIES AND WAGES.....	\$ 21,800.00
3	For the following positions at not to exceed the annual rates herein	
4	specified:	
5	1 Assistant General Manager.....	\$ 3,000 per annum
6	1 Statistical Clerk	\$ 1,800 per annum
7	1 Stenographer and Bookkeeper.....	\$ 1,500 per annum
8	1 Receiving and Shipping Clerk.....	\$ 1,200 per annum
9	1 Filing Clerk	\$ 1,200 per annum
10	1 Advertising Clerk	\$ 1,200 per annum

11	Extra Clerk Hire	\$ 1,000 per annum
12	For OFFICE EXPENSES.....	\$ 5,000.00
13	For TRAVEL	\$ 8,000.00
14	For STATE FAIR OPERATION.....	\$400,000.00
15	For REPAIRS AND MAINTENANCE	\$ 50,000.00
16	For PERMANENT IMPROVEMENTS	\$450,000.00
17	Administration Building and Automobile Exhibit Pavilion (to replace Dome	
18	Building and Annex destroyed by fire in 1917).	
19	Before any contracts are awarded or indebtedness incurred for permanent	
20	improvements, for which an appropriation is made in this item, the land now	
21	used by the State as a State Fair Ground, shall have been conveyed, in fee	
22	simple, absolute, by the owner thereof to the State of Illinois.	
23	FOR LAND	\$100,000.00
24	For CONTINGENCIES	\$ 28,000.00
25	(Total for Division of State Fair, \$1,062,800.00.)	

Division of County Agricultural Advisors.

(36) To the Department of Agriculture:

2	For SALARIES AND WAGES.....	\$223,200.00
3	For county agricultural advisors at not to exceed \$100 per month each, be-	
4	ing that part of the salary of advisors to be paid by the State.	

Division of State Aid to County Fairs.

(37) To the Department of Agriculture:

2	For distribution to encourage and aid County Fairs as provided	
3	by law	\$230,000.00

Division of Poultry Husbandry.

(38) To the Department of Agriculture:

2	For SALARIES AND WAGES.....	\$ 30,560.00
3	For the following positions at not to exceed the annual rates herein	
4	specified:	

5	1 Chief Poultryman	\$ 2,400 per annum
6	2 Station Assistants at \$1,800.....	\$ 3,600 per annum
7	1 Stenographer	\$ 1,200 per annum
8	4 Laborers at \$1,020.....	\$ 4,080 per annum
9	For per diem of field assistants at not to ex-	
10	ceed \$10.00 per day.....	\$ 4,000 per annum
11	For OFFICE EXPENSES	\$ 1,000.00
12	For TRAVEL	\$ 10,000.00
13	For Operation of State Poultry Show and Plants at Quincy and	
14	Murphysboro	\$ 8,400.00
15	For REPAIRS AND EQUIPMENT.....	\$ 4,000.00
16	For CONTINGENCIES	\$ 10,000.00
17	(Total for Division of Poultry Husbandry, \$63,960.00.)	

DEPARTMENT OF LABOR.

General Office.

(39) To the Department of Labor:

2	For SALARIES AND WAGES.....	\$ 27,440.00
3	For the following positions at not to exceed the annual rates herein specified:	
4	1 Private Secretary	\$ 2,400 per annum
5	1 Chief Clerk	\$ 2,100 per annum
6	1 Department Clerk	\$ 1,500 per annum
7	1 Stenographer	\$ 1,320 per annum
8	1 Messenger	\$ 1,200 per annum
9	For Special Agents (3 mos.).....	\$ 1,200 per annum
10	Extra Help	\$ 4,000 per annum
11	For OFFICE EXPENSES.....	\$ 4,000.00
12	For TRAVEL	\$ 13,000.00
13	FOR REPAIRS AND EQUIPMENT.....	\$ 1,050.00
14	For CONTINGENCIES	\$ 2,500.00
15	(Total for General Office, Department of Labor, \$47,990.)	

Division of Chicago Free Employment Office.

(40) To the Department of Labor:

2	For SALARIES AND WAGES.....	\$145,980.00
3	For the following positions at not to exceed the annual rates herein specified:	
4	1 General Superintendent	\$ 2,750 per annum
5	3 Department Superintendents at \$2,000..	\$ 6,000 per annum
6	4 Assistant Superintendents at \$1,620 ...	\$ 6,480 per annum
7	1 Chief Employment Clerk	\$ 2,000 per annum
8	7 Placement Clerks at \$1,500	\$10,500 per annum
9	6 Placement Clerks at \$1,320	\$ 7,920 per annum
10	4 Placement Clerks at \$1,200	\$ 4,800 per annum
11	1 Clearance Statistical Clerk	\$ 1,800 per annum
12	1 Interpreter	\$ 1,500 per annum
13	3 File Clerks at \$1,200	\$ 3,600 per annum
14	5 Stenographers at \$1,500.....	\$ 7,500 per annum
15	2 Policemen at \$1,320	\$ 2,640 per annum
16	2 Telephone Operators at \$1,200.....	\$ 2,400 per annum
17	3 Janitors at \$1,200	\$ 3,600 per annum
18	1 Messenger	\$ 1,200 per annum
19	1 Investigator of Employment for Women	
20	and Children	\$1 800 per annum
21	Extra Clerk Hire	\$ 5,000 per annum
22	1 Stenographer and Clerk (for Advisory	
23	Board Program)	\$ 1,500 per annum
24	OFFICE EXPENSES	\$ 48,960.00
25	For TRAVEL	\$ 800.00
26	For OPERATION	\$ 1,400.00
27	For REPAIRS AND EQUIPMENT.....	\$ 3,700.00
28	For CONTINGENCIES.....	\$ 1,000.00
29	(Total for Chicago Free Employment Office, \$201,840.)	

Division of East St. Louis Free Employment Office.

(41) To the Department of Labor:

2	For SALARIES AND WAGES	\$ 13,240.00
3	For the following positions at not to exceed the annual rates herein specified:	
4	1 Superintendent	\$ 2,000 per annum
5	1 Assistant Superintendent	\$ 1,620 per annum
6	1 Clerk	\$ 1,200 per annum
7	1 Stenographer	\$ 1,200 per annum
8	Janitor Service	\$ 600 per annum
9	For OFFICE EXPENSES	\$ 3,150.00
10	For OPERATION	\$ 200.00
11	For REPAIRS AND EQUIPMENT	\$ 200.00
12	For CONTINGENCIES	\$ 200.00
13	(Total for the East St. Louis Free Employment Office, \$16,990.)	

Division of Rock Island-Moline Free Employment Office

(42) To the Department of Labor:

2	For SALARIES AND WAGES	\$ 13,240.00
3	For the following positions at not to exceed the annual rates herein specified:	
4	1 Superintendent	\$ 2,000 per annum
5	1 Assistant Superintendent	\$ 1,620 per annum
6	1 Clerk	\$ 1,200 per annum
7	1 Stenographer	\$ 1,200 per annum
8	Janitor Service	\$ 600 per annum
9	For OFFICE EXPENSES	\$ 2,450.00
10	For OPERATION	\$ 200.00
11	For REPAIRS AND EQUIPMENT	\$ 200.00
12	For CONTINGENCIES	\$ 200.00
13	(Total for the Rock Island-Moline Free Employment Office, \$16,290.)	

Division of Peoria Free Employment Office.

(43) To the Department of Labor:

2	For SALARIES AND WAGES.....	\$ 13,240.00
3	For the following positions at not to exceed the annual rates herein	
4	specified:	
5	1 Superintendent	\$ 2,000 per annum
6	1 Assistant Superintendent	\$ 1,620 per annum
7	1 Clerk	\$ 1,200 per annum
8	1 Stenographer	\$ 1,200 per annum
9	For Janitor Service.....	\$ 600 per annum
10	For OFFICE EXPENSES.....	\$ 3,050.00
11	For OPERATION	\$ 200.00
12	For REPAIRS AND EQUIPMENT.....	\$ 200.00
13	For CONTINGENCIES	\$ 200.00
14	(Total for Peoria Free Employment Office, \$16,890.)	

Division of Rockford Free Employment Office.

(44) To the Department of Labor:

2	For SALARIES AND WAGES.....	\$ 13,240.00
3	For the following positions at not to exceed the annual rates herein	
4	specified:	
5	1 Superintendent	\$ 2,000 per annum
6	1 Assistant Superintendent	\$ 1,620 per annum
7	1 Clerk	\$ 1,200 per annum
8	1 Stenographer	\$ 1,200 per annum
9	For Janitor Service.....	\$ 600 per annum
10	For OFFICE EXPENSES	\$ 2,570.00
11	For OPERATION	\$ 200.00
12	For REPAIRS AND EQUIPMENT.....	\$ 200.00
13	For CONTINGENCIES	\$ 200.00
14	,Total for Rockford Free Employment Office, \$16,410.)	

Division of Springfield Free Employment Office.

(45) To the Department of Labor:

2	For SALARIES AND WAGES.....	\$ 13,240.00
3	For the following positions at not to exceed the annual rates herein	
4	specified:	
5	1 Superintendent	\$ 2,000 per annum
6	1 Assistant Superintendent	\$ 1,620 per annum
7	1 Clerk	\$ 1,200 per annum
8	1 Stenographer	\$ 1,200 per annum
9	For Janitor Service	\$ 600 per annum
10	For OFFICE EXPENSES	\$ 3,050.00
11	For OPERATION	\$ 200.00
12	For REPAIRS AND EQUIPMENT.....	\$ 200.00
13	For CONTINGENCIES	\$ 200.00
14	(Total for the Springfield Free Employment Office, \$16,890.)	

Division of Decatur Free Employment Office.

(46) To the Department of Labor:

2	For SALARIES AND WAGES.....	\$ 10,840.00
3	For the following positions at not to exceed the annual rates herein	
4	specified:	
5	1 Superintendent	\$ 2,000 per annum
6	1 Assistant Superintendent	\$ 1,620 per annum
7	1 Stenographer	\$ 1,200 per annum
8	Janitor Service	\$ 600 per annum
9	For OFFICE EXPENSES	\$ 3,050.00
10	For OPERATION	\$ 200.00
11	For REPAIRS AND EQUIPMENT.....	\$ 200.00
12	For CONTINGENCIES	\$ 200.00
13	(Total for the Decatur Free Employment Office, \$14,490.)	

Division of Danville Free Employment Office.

(47) To the Department of Labor:

2	For SALARIES AND WAGES.....	\$ 10,840.00
3	For the following positions at not to exceed the annual rates herein	
4	specified:	
5	1 Superintendent	\$ 2,000 per annum
6	1 Assistant Superintendent	\$ 1,620 per annum
7	1 Stenographer	\$ 1,200 per annum
8	Janitor Service	\$ 600 per annum
9	For OFFICE EXPENSES	\$ 3,050.00
10	For OPERATION	\$ 200.00
11	For REPAIRS AND EQUIPMENT.....	\$ 200.00
12	For CONTINGENCIES	\$ 200.00
13	(Total for the Danville Free Employment Office, \$14,490.)	

Division of Bloomington Free Employment Office.

(48) To the Department of Labor:

2	For SALARIES AND WAGES.....	\$ 10,840.00
3	For the following positions at not to exceed the annual rates herein	
4	specified:	
5	1 Superintendent	\$ 2,000 per annum
6	1 Assistant Superintendent	\$ 1,620 per annum
7	1 Stenographer	\$ 1,200 per annum
8	Janitor Service	\$ 600 per annum
9	For OFFICE EXPENSES	\$ 2,450.00
10	For OPERATION	\$ 200.00
11	For REPAIRS AND EQUIPMENT.....	\$ 200.00
12	For CONTINGENCIES	\$ 200.00
13	(Total for the Bloomington Free Employment Office, \$13,890.)	

Division of Joliet Free Employment Office.

(49) To the Department of Labor:

2	For SALARIES AND WAGES.....	\$ 10,840.00
3	For the following positions at not to exceed the annual rates herein	
4	specified:	
5	1 Superintendent	\$ 2,000 per annum
6	1 Assistant Superintendent	\$ 1,620 per annum
7	1 Stenographer	\$ 1,200 per annum
8	Janitor Service	\$ 600 per annum
9	For OFFICE EXPENSES	\$ 2,810.00
10	For OPERATION	\$ 200.00
11	For REPAIRS AND EQUIPMENT.....	\$ 200.00
12	For CONTINGENCIES	\$ 200.00
13	(Total for the Joliet Free Employment Office, \$14,250.)	

Division of Aurora Free Employment Office.

(50) To the Department of Labor:

2	For SALARIES AND WAGES.....	\$ 10,840.00
3	For the following positions at not to exceed the annual rates herein	
4	specified:	
5	1 Superintendent	\$ 2,000 per annum
6	1 Assistant Superintendent	\$ 1,620 per annum
7	1 Stenographer	\$ 1,200 per annum
8	Janitor Service	\$ 600 per annum
9	For OFFICE EXPENSES	\$ 2,570.00
10	For OPERATION	\$ 200.00
11	For REPAIRS AND EQUIPMENT.....	\$ 200.00
12	For CONTINGENCIES	\$ 200.00
13	(Total for the Aurora Free Employment Office, \$14,010.)	

Division of Chicago Free Employment Office (Colored).

(51) To the Department of Labor:

2	For SALARIES AND WAGES.....	\$ 10,840.00
---	-----------------------------	--------------

3 For the following positions at not to exceed the annual rates herein specified:

4 1 Superintendent\$ 2,000 per annum

5 1 Assistant Superintendent\$ 1,620 per annum

6 1 Stenographer\$ 1,200 per annum

7 Janitor Service\$ 600 per annum

8 For OFFICE EXPENSES..... \$ 4,000.00

9 For OPERATION \$ 670.00

10 For REPAIRS AND EQUIPMENT..... \$ 200.00

11 For CONTINGENCIES \$ 200.00

12 (Total for the Chicago Free Employment Office (Colored), \$15,910.)

Division of Additional Free Employment Office.

(52) To the Department of Labor:

2 For SALARIES AND WAGES \$ 10,840.00

3 For the following positions at not to exceed the annual rates herein specified:

4 1 Superintendent\$ 2,000 per annum

5 1 Assistant Superintendent\$ 1,620 per annum

6 1 Stenographer\$ 1,200 per annum

7 Janitor Service\$ 600 per annum

8 For OFFICE EXPENSES \$ 2,450.00

9 For OPERATION \$ 200.00

10 For REPAIRS AND EQUIPMENT..... \$ 400.00

11 For CONTINGENCIES \$ 200.00

12 (Total for Additional Free Employment Office, \$14,090.)

Division of Additional Free Employment Office.

(53) To the Department of Labor:

2 For SALARIES AND WAGES..... \$ 10,840.00

3 For the following positions at not to exceed the annual rates herein specified:

4 1 Superintendent\$ 2,000 per annum

5 1 Assistant Superintendent\$ 1,620 per annum

6 1 Stenographer\$ 1,200 per annum

7 Janitor Service\$ 600 per annum

8	For OFFICE EXPENSES	\$ 2,450.00
9	For OPERATION	\$ 200.00
10	For REPAIRS AND EQUIPMENT	\$ 400.00
11	For CONTINGENCIES	\$ 200.00

12 (Total for Additional Free Employment Office, \$14,090.00.)

Division of General Advisory Board — Illinois Free Employment Offices.

(54) To the Department of Labor:

2	For SALARIES AND WAGES.....	\$ 7,200.00
3	For the following positions at not to exceed the annual rates herein specified:	

4 2 Investigators of Labor Conditions at

5 \$1,800\$ 3,600 per annum

6	For TRAVEL	\$ 2,500.00
---	------------------	-------------

7 (Total for General Advisory Board, \$9,700.)

Division of Chief Inspector of Private Employment Agencies.

(55) To the Department of Labor:

2	For SALARIES AND WAGES.....	\$ 31,800.00
---	-----------------------------	--------------

3 For the following positions at not to exceed the annal rates herein
4 specified:

5 7 Deputy Inspectors at \$1,800.....\$12,600 per annum

6 1 Woman Inspector\$ 1,800 per annum

7 1 Stenographer and Bookkeeper.....\$ 1,500 per annum

8	For OFFICE EXPENSES.....	\$ 5,200.00
---	--------------------------	-------------

9	For TRAVEL	\$ 1,000.00
---	------------------	-------------

10	For REPAIRS AND EQUIPMENT.....	\$ 400.00
----	--------------------------------	-----------

11	For CONTINGENCIES	\$ 1,000.00
----	-------------------------	-------------

12 (Total for Chief Inspector of Private Employment Agencies, \$39,400.)

Division of Factory Inspection.

(56) To the Department of Labor:

2	For SALARIES AND WAGES.....	\$171,300.00
---	-----------------------------	--------------

3 For the following positions at not to exceed the annual rates herein
4 specified:

5	1 Assistant Chief Factory Inspector	\$ 2,750 per annum	
6	2 Physicians (part time) at \$1,500.....	\$ 3,000 per annum	
7	30 Deputy Inspectors at \$2,000.....	\$60,000 per annum	
8	1 Bookkeeper	\$ 1,800 per annum	
9	1 Messenger	\$ 1,200 per annum	
10	1 Stenographer	\$ 1,500 per annum	
11	2 Stenographers at \$1,320.....	\$ 2,640 per annum	
12	1 Typist	\$ 1,200 per annum	
13	1 Clerk	\$ 1,320 per annum	
14	2 Clerks at \$1,200.....	\$ 2,400 per annum	
15	2 Women Investigators at \$1,320.....	\$ 2,640 per annum	
16	1 Telephone Operator-Clerk	\$ 1,200 per annum	
17	2 Special Investigators at \$1,500.....	\$ 3,000 per annum	
18	Temporary Office Help.....	\$ 1,000 per annum	
19	For OFFICE EXPENSES.....		\$ 18,699.00
20	For TRAVEL.....		\$ 30,000.00
21	For OPERATION		\$ 600.00
22	For REPAIRS AND EQUIPMENT.....		\$ 1,200.00
23	(Total for Factory Inspection, \$221,799.)		

Division of Industrial Commission.

(57) To the Department of Labor:

2	For SALARIES AND WAGES.....	\$352,320.00
3	For the following positions at not to exceed the annual rates herein	
4	specified:	
5	1 Secretary	\$ 4,000 per annum
6	1 Security Superintendent	\$ 3,600 per annum
7	1 Statistician	\$ 2,500 per annum
8	1 Bookkeeper	\$ 2,000 per annum
9	1 Information Clerk.....	\$ 2,400 per annum
10	1 Policeman	\$ 1,440 per annum

11	1 Telephone Operator	\$ 1,200 per annum	
12	2 Stenographers at \$1,320.....	\$ 2,640 per annum	
13	4 Stenographers at \$1,500.....	\$ 6,000 per annum	
14	4 Stenographers at \$1,680.....	\$ 6,720 per annum	
15	1 Messenger	\$ 1,320 per annum	
16	3 Messengers at \$1,200.....	\$ 3,600 per annum	
17	1 Department Clerk	\$ 2,100 per annum	
18	3 Department Clerks at \$1,440.....	\$ 4,320 per annum	
19	6 Department Clerks at \$1,620.....	\$ 9,720 per annum	
20	5 Department Clerks at \$1,800.....	\$ 9,000 per annum	
21	9 Arbitrators at \$3,000.....	\$27,000 per annum	
22	2 Mediators and Conciliators at \$3,600 ..	\$ 7,200 per annum	
23	4 Filing Clerks at \$1,200.....	\$ 4,800 per annum	
24	1 Filing Clerk	\$ 1,800 per annum	
25	1 Chief Industrial Examiner.....	\$ 3,600 per annum	
26	2 Industrial Examiners at \$1,800.....	\$ 3,600 per annum	
27	14 Typists at \$1,200.....	\$16,800 per annum	
28	For Medical Examiners.....	\$10,000 per annum	
29	5 Court Stenographers at \$1,500.....	\$ 7,500 per annum	
30	5 Court Stenographers at \$1,800.....	\$ 9,000 per annum	
31	5 Court Stenographers at \$2,100.....	\$10,500 per annum	
32	1 Insurance Clerk	\$ 2,000 per annum	
33	2 Security Examiners at \$2,400.....	\$ 4,800 per annum	
34	Additional Help	\$ 5,000 per annum	
35	For OFFICE EXPENSES.....		\$ 57,600.00
36	For TRAVEL		\$ 48,000.00
37	For OPERATION		\$ 400.00
38	For REPAIRS AND EQUIPMENT.....		\$ 1,700.00
39	For CONTINGENCIES		\$ 10,000.00
40	(Total for the Industrial Commission, \$470,020.00.)		

DEPARTMENT OF MINES AND MINERALS.

(58) To the Department of Mines and Minerals:

2	For SALARIES AND WAGES.....	\$157,440.00
3	For the following positions at not to exceed the annual rates herein	
4	specified:	
5	1 Private Secretary.....	\$ 2,400 per annum
6	1 Statistician and Chief Clerk.....	\$ 2,400 per annum
7	1 Clerk	\$ 1,800 per annum
8	1 Stenographer and File Clerk.....	\$ 1,500 per annum
9	1 Stenographer	\$ 1,320 per annum
10	1 Stenographer	\$ 1,200 per annum
11	1 Clerk	\$ 1,500 per annum
12	13 Inspectors at \$3,000.....	\$39,000 per annum
13	6 Superintendents at \$2,400.....	\$14,400 per annum
14	6 Teams of five men each at \$8.00 per month	\$ 3,200 per annum
15	1 Special Investigator	\$ 3,000 per annum
16	For extra helmet men as emergency substi-	
17	tutes and necessary assistants at mine	
18	disasters	\$ 6,500 per annum
19	Extra Help	\$ 500 per annum
20	For OFFICE EXPENSES.....	\$ 9,650.00
21	For TRAVEL	\$ 69,500.00
22	For OPERATION	\$ 8,260.00
23	For REPAIRS AND EQUIPMENT.....	\$ 18,500.00
24	For CONTINGENCIES	\$ 3,000.00
25	(Total for Department of Mines and Minerals, \$266,350.00.)	

DEPARTMENT OF PUBLIC WORKS AND BUILDINGS.

General Office.

(59) To the Department of Public Works and Buildings:

2	For SALARIES AND WAGES.....	\$ 21,600.00
---	-----------------------------	--------------

3	For the following positions at not to exceed the annual rates herein specified:	
4	1 Private Secretary	\$ 2,400 per annum
5	1 Stenographer and Bookkeeper.....	\$ 1,500 per annum
6	1 Department Inspector	\$ 3,600 per annum
7	1 Department Clerk	\$ 2,100 per annum
8	1 Messenger	\$ 1,200 per annum
9	For OFFICE EXPENSES	\$ 2,000.00
10	For TRAVEL	\$ 6,000.00
11	For REPAIRS AND EQUIPMENT.....	\$ 1,900.00
12	For CONTINGENCIES	\$ 20,000.00
13	(Total for General Office, Department of Public Works and Buildings,	
14	\$51,500.)	

Division of Purchases and Supplies.

(60) To the Department of Public Works and Buildings:

2	For SALARIES AND WAGES.....	\$ 61,780.00
3	For the following positions at not to exceed the annual rates herein specified:	
4	1 Assistant Superintendent	\$ 3,000 per annum
5	1 Chief Clerk	\$ 2,750 per annum
6	1 Clerk	\$ 2,000 per annum
7	1 Filing Clerk	\$ 1,320 per annum
8	2 Clerks at \$1,500	\$ 3,000 per annum
9	1 Messenger	\$ 1,200 per annum
10	3 Stenographers at \$1,200.....	\$ 3,600 per annum
11	1 Storekeeper	\$ 1,500 per annum
12	1 Clerk	\$ 1,320 per annum
13	1 Stenographer	\$ 1,200 per annum
14	Tabulators	\$ 4,500 per annum
15	Fees to Analysts, Testers and Inspectors...	\$ 5,500 per annum
16	For OFFICE EXPENSES	\$ 10,000.00

17	For TRAVEL	\$ 6,000.00
18	For REPAIRS AND EQUIPMENT	\$ 3,100.00
19	(Total for Purchases and Supplies, \$80,880.)	

BUILDINGS

(61) To the Department of Public Works and Buildings:

2	For the construction of an armory at Danville, being in addition	
3	to the sum appropriated by an Act entitled "An Act to authorize	
4	the purchase of a site for and the erection of an armory at Dan-	
5	ville for the use of the military force of the State of Illinois and	
6	making an appropriation therefor," approved June 21, 1919, in	
7	force July 1, 1919, and the re-appropriation of any unexpended	
8	balance thereof	\$ 60,000.00

(62) To the Department of Public Works and Buildings:

2	For the completion of the First Artillery Armory, located at Chi-	
3	cago Avenue and Pearson Street, Chicago, the sum of... ..	\$390,000.00

Division of Architecture and Engineering.

(63) To the Department of Public Works and Buildings:

2	For SALARIES AND WAGES	\$121,920.00
3	For the following positions at not to exceed the annual rates herein specified:	
4	1 Superintendent of Buildings and Repairs..\$ 5,000 per annum	
5	1 Assistant Superintendent of Buildings and	
6	Repairs	\$ 3,600 per annum
7	3 Superintendents of Construction at \$2,700 \$ 8,100 per annum	
8	1 Architectural Draftsman	\$ 2,400 per annum
9	1 Architectural Draftsman	\$ 2,000 per annum
10	1 Architectural Draftsman	\$ 1,800 per annum
11	1 Architectural Designer	\$ 3,200 per annum
12	2 Architectural Tracers at \$1,600.....	\$ 3,200 per annum
13	1 Heating and Plumbing Engineer.....	\$ 3,600 per annum

14	1 Electrical Engineer	\$ 3,000 per annum	
15	2 Mechanical Inspectors at \$2,700.....	\$ 5,400 per annum	
16	2 Mechanical Inspectors at \$2,400.....	\$ 4,800 per annum	
17	1 Mechanical Draftsman.....	\$ 2,400 per annum	
18	2 Clerks at \$1,200.....	\$ 2,400 per annum	
19	1 File Clerk	\$ 1,080 per annum	
20	2 Stenographers at \$1,500.....	\$ 3,000 per annum	
21	1 Stenographer	\$ 1,380 per annum	
22	1 Typist	\$ 1,200 per annum	
23	1 Bookkeeper	\$ 2,100 per annum	
24	1 Clerk	\$ 1,200 per annum	
25	For OFFICE EXPENSES		\$ 17,300.00
26	For TRAVEL		\$ 15,000.00
27	For REPAIRS AND EQUIPMENT.....		\$ 9,000.00
28	For Contingencies		\$ 4,000.00
29	(Total for Architecture and Engineering, \$167,220.)		

Division of Lincoln Monument.

(64) To the Department of Public Works and Buildings:

2	For SALARIES AND WAGES	\$ 5,210.00	
3	For the following positions at not to exceed the annual rates herein specified:		
4	1 Custodian	\$ 1,500 per annum	
5	1 Caretaker	\$ 1,020 per annum	
6	Extra Help	\$ 85 per annum	
7	For OFFICE EXPENSES	\$ 800.00	
8	For OPERATION	\$ 1,500.00	
9	For REPAIRS AND EQUIPMENT.....	\$ 2,500.00	
10	(Totals for Lincoln Monument, \$10,010.)		

Division of Lincoln Homestead.

(65) To the Department of Public Works and Buildings:

2	For SALARIES AND WAGES	\$ 4,500.00	
---	------------------------------	-------------	--

3 For the following positions at not to exceed the annual rates herein specified:

4	1 Custodian	\$ 1,500 per annum	
5	Extra Help	\$ 750 per annum	
6	For OFFICE EXPENSES	\$	260.00
7	For OPERATION	\$	460.00
8	For REPAIRS AND EQUIPMENT.....	\$	1,500.00
9	(Total for Lincoln Homestead, \$6,720.)		

Division of Fort Massac Park

(66) To the Department of Public Works and Buildings:

2	For SALARIES AND WAGES	\$	1,950.00
3	For the following positions at not to exceed the annual rates herein specified:		
4	1 Custodian	\$	900 per annum
5	Extra Help	\$	75 per annum
6	For OFFICE EXPENSES	\$	200.00
7	For OPERATION	\$	1,000.00
8	For REPAIRS AND EQUIPMENT.....	\$	3,000.00
9	For LAND	\$	15,000.00
10	(Total for Fort Massac Park, \$21,150.)		

Division of Starved Rock Park.

(67) To the Department of Public Works and Buildings:

2	For SALARIES AND WAGES	\$	5,900.00
3	For the following positions at not to exceed the annual rates herein specified:		
4	1 Superintendent	\$	1,200 per annum
5	Laborers, with team and without, and Special		
6	Police	\$	1,750 per annum
7	For OFFICE EXPENSES	\$	200.00
8	For OPERATION	\$	2,500.00
9	For REPAIRS AND EQUIPMENT.....	\$	8,000.00
10	For Extension of park road	\$	28,000.00
11	For CONTINGENCIES	\$	1,000.00
12	(Total for Starved Rock Park, \$45,600.)		

Division of Douglas Monument Park.

(68) To the Department of Public Works and Buildings:

2	For SALARIES AND WAGES	\$ 2,400.00
3	1 Custodian at not to exceed.....	\$ 1,200 per annum
4	For OFFICE EXPENSES	\$ 150.00
5	For OPERATION	\$ 1,000.00
6	For REPAIRS AND EQUIPMENT.....	\$ 2,000.00
7	(Total for Douglas Monument Park, \$5,550.)	

Division of Old Salem State Park.

(69) To the Department of Public Works and Buildings:

2	For SALARIES AND WAGES	\$ 2,400.00
3	1 Custodian not to exceed	\$ 1,200 per annum
4	For OFFICE EXPENSES	\$ 150.00
5	For OPERATION	\$ 1,000.00
6	For PERMANENT IMPROVEMENT	\$ 10,000.00
7	(Total for Old Salem State Park, \$13,550.)	

Division of Shabonna Monument

(70) To the Department of Public Works and Buildings:

2	For the maintenance, repairs and improvement of the State monu-	
3	ment and grounds	\$ 6,000.00
4	(Total for Shabonna Monument, \$6,000.)	

Division of Fort Chartres Park.

(71) To the Department of Public Works and Buildings:

2	For SALARIES AND WAGES	\$ 1,400.00
3	Custodian, part time, at not to exceed	\$ 100 per month
4	For OPERATION	\$ 800.00
5	For REPAIRS	\$ 600.00
6	For PERMANENT IMPROVEMENT	\$ 1,200.00
7	(Markers, Flag-staff and toilets.)	
8	(Total for Fort Chartres Park, \$4,000.)	

Division of Printing.

(72) To the Department of Public Works and Buildings:

2	For SALARIES AND WAGES.....	\$ 69,680.00
3	For the following positions at not to exceed the annual rates herein	
4	specified:	
5	1 Cost Expert	\$ 3,000 per annum
6	1 Assistant Superintendent of Printing ...	\$ 2,500 per annum
7	1 Chief Proof Reader	\$ 1,800 per annum
8	1 Copy Editor	\$ 1,800 per annum
9	2 Copyholders at \$1,200.....	\$ 2,400 per annum
10	2 Proof Readers at \$1,320.....	\$ 2,640 per annum
11	1 Bookkeeper	\$ 2,100 per annum
12	1 Bookkeeper	\$ 1,500 per annum
13	1 Clerk	\$ 1,800 per annum
14	1 File Clerk	\$ 1,500 per annum
15	1 Storekeeper	\$ 1,500 per annum
16	1 Stenographer and Audit Clerk.....	\$ 1,800 per annum
17	3 Stenographers at \$1,500.....	\$ 4,500 per annum
18	1 Stenographer	\$ 1,200 per annum
19	2 Stenographers at \$1,200.....	\$ 2,400 per annum
20	1 Stock Cutter	\$ 1,200 per annum
21	1 Messenger and File Clerk.....	\$ 1,200 per annum
22	For OFFICE EXPENSES	\$ 2,800.00
23	For TRAVEL	\$ 500.00
24	For REPAIRS AND EQUIPMENT.....	\$ 2,200.00
25	For CONTINGENCIES	\$ 2,000.00
26	(Total for Division of Printing, \$77,180.00.)	

(73) To the Department of Public Works and Buildings for the Division

2 of Printing:

3	For the purchase on contract, as required by law, and other neces-	
4	sary expenses connected therewith, of printing, paper and	
5	stationery supplies for the use of the Fifty-third General	
6	Assembly or special sessions.....	\$165,000.00
7	To the Department of Public Works and Buildings for the Division	
8	of Printing, the sum of.....	\$985,900.00
9	For printing, binding, printing paper, cover paper and other paper	
10	and stationery supplies to be allotted and distributed among	
11	the several offices, departments, institutions, boards and com-	
12	missions of the government for the biennius, as follows:	
13	To the Governor	\$ 4,000
14	To the Lieutenant Governor	\$ 500
15	To the Secretary of State.....	\$262,000
16	To the Auditor of Public Accounts	\$ 50,000
17	To the State Treasurer	\$ 8,000
18	To the Superintendent of Public Instruction	\$ 70,000
19	To the Illinois State Teachers' Association	\$ 5,000
20	To the Attorney General	\$ 25,000
21	To the Supreme Court	\$ 4,000
22	To the Clerk of the Supreme Court	\$ 5,000
23	To the Appellate Court, First District	\$ 3,500
24	To the Appellate Court, Second District	\$ 1,200
25	To the Appellate Court, Third District	\$ 1,600
26	To the Appellate Court, Fourth District	\$ 1,200
27	To the Department of Finance.....	\$ 17,500
28	To the Department of Agriculture	\$ 47,900
29	To the Department of Labor.....	\$ 24,300
30	To the Department of Mines and Minerals	\$ 9,000
31	To the Department of Public Works and Buildings...	\$ 52,000
32	To the Department of Public Welfare	\$ 75,000

33	To the Department of Public Health	\$ 41,000
34	To the Department of Trade and Commerce.....	\$ 85,500
35	To the Department of Registration and Education....	\$ 82,300
36	To the Adjutant General	\$ 12,500
37	To the Civil Service Commission.....	\$ 7,500
38	To the Legislative Reference Bureau	\$ 11,000
39	To the Illinois Farmers' Institute	\$ 40,000
40	To the Illinois State Library.....	\$ 6,500
41	To the Illinois State Historical Library	\$ 25,500
42	To the Uniform Laws Commission	\$ 400
43	To the Service Recognition Board	\$ 7,000

Division of Waterways.

(74) To the Department of Public Works and Buildings:

2	For SALARIES AND WAGES.....	\$ 8,400.00
3	For the following positions at not to exceed the annual rates herein	
4	specified:	
5	1 Stenographer	\$ 1,800 per annum
6	1 Chief Clerk and Secretary.....	\$ 2,400 per annum
7	For OFFICE EXPENSES.....	\$ 25,000.00
8	For TRAVEL	\$ 6,000.00
9	For REPAIRS AND EQUIPMENT.....	\$ 2,000.00
10	For CONTINGENCIES	\$ 2,000.00
11	For services and expenses in preventing obstructions in rivers or	
12	other bodies of water in this State.....	\$ 13,000.00
13	For engineering services and expenses	\$ 70,000.00
14	For stream gauging	\$ 8,000.00
15	For repairs to locks and dykes and dredging in the Illinois River	
16	and for all work necessary for the maintenance of navigation on	
17	the Illinois River under the Department of Public Works and	
18	Buildings	\$ 25,000.00

19	For services and expenses in the survey of State land and mean-	
20	dered waters, and in the investigation of complaints of encroach-	
21	ments and pollutions, and in investigations for the reclamation and	
22	protection of the lands and property of the State of Illinois....	\$ 55,000.00
23	For repair of dock, being State property situated on the west bank	
24	of the south fork of the south branch of the Chicago River south	
25	of and adjoining Fuller Street.....	\$ 60,000.00
26	For completing the survey of the Big Muddy River and for prepa-	
27	ration of plans, specifications and estimates for the construction	
28	of a navigable channel (including necessary canals from Plum-	
29	field in Franklin County to the Mississippi River	\$ 5,000.00
30	For salaries and wages, office expenses, travel, operation, repairs,	
31	equipment, and permanent improvements necessary for the oper-	
32	ation and maintenance of the Illinois and Michigan Canal, \$100,-	
33	000,00, and for raising bridge over the Illinois and Michigan	
34	Canal at Moriarity Hill Crossing, Ottawa Township, LaSalle	
35	County, \$7,500.00, payable only out of such funds or moneys as	
36	shall be covered into the State Treasury and placed by the State	
37	Treasurer to the credit of the special fund known as the Illinois	
38	and Michigan Canal Fund.....	\$107,500.00
39	(Total for Division of Waterways, \$386,900.00.)	

(75) To the Department of Public Works and Buildings:

2	To assist Illinois organizations and to co-operate in the work of	
3	other states in connection with the development of a Deep	
4	Waterway from Lakes-to-the-ocean via the St. Lawrence River.	\$ 5,000.00

Division of Highways.

(76) To the Department of Public Works and Buildings:

2	For SALARIES AND WAGES.....	\$138,600.00
3	For the following positions at not to exceed the annual rates herein	
4	specified:	

5	1 Road Engineer	\$ 3,600 per annum	
6	1 Maintenance Engineer	\$ 3,900 per annum	
7	1 Bridge Engineer	\$ 3,600 per annum	
8	1 Testing Engineer	\$ 3,900 per annum	
9	3 Assistant Engineers (District Engineers)		
10	at \$3,600	\$10,800 per annum	
11	6 Assistant Engineers (District Engineers)		
12	at \$3,900	\$23,400 per annum	
13	1 Chief Clerk	\$ 2,700 per annum	
14	1 Bookkeeper	\$ 2,700 per annum	
15	1 Stenographer	\$ 1,500 per annum	
16	5 Stenographers at \$1,200.....	\$ 6,000 per annum	
17	1 Clerk	\$ 1,200 per annum	
18	3 Clerks at \$1,200.....	\$ 3,600 per annum	
19	1 Blueprinter	\$ 1,200 per annum	
20	1 Messenger	\$ 1,200 per annum	
21	For OFFICE EXPENSES.....		\$ 24,400.00
22	For TRAVEL		\$ 20,000.00
23	For OPERATION		\$ 1,500.00
24	For REPAIRS AND EQUIPMENT.....		\$ 9,000.00
25	(Total for Division of Highways, \$193,500.00.)		

Fort Creve Couer Marker.

(77) To the Department of Public Works and Buildings:

2	For the erection on the site designated by the State Historical So-	
3	ciety of a suitable marker to commemorate the establishment of	
4	Fort Creve Couer in 1680 by the Sieur de la Salle on the east	
5	bank of the Illinois River in what is now Tazewell County.....	\$ 2,000.00

DEPARTMENT OF PUBLIC WELFARE.

General Office.

(78) To the Department of Public Welfare:

2	For SALARIES AND WAGES	\$140,720.00
3	For the following positions at not to exceed the annual rates herein specified:	
4	1 Chief Clerk	\$ 2,700 per annum
5	1 Statistician	\$ 3,000 per annum
6	1 General Bookkeeper	\$ 2,100 per annum
7	4 Clerks at \$2,100	\$ 8,400 per annum
8	3 Stenographers at \$1,500	\$ 4,500 per annum
9	2 Clerks at \$1,320	\$ 2,640 per annum
10	2 Clerks at \$1,200	\$ 2,400 per annum
11	1 Record Clerk	\$ 1,320 per annum
12	1 Reimbursing Investigator	\$ 2,100 per annum
13	1 Farm, Garden and Dairy Consultant	\$ 4,800 per annum
14	1 Messenger	\$ 1,200 per annum
15	1 Private Secretary	\$ 2,400 per annum
16	1 Supervisor of Dietetics	\$ 4,000 per annum
17	Extra Help	\$ 8,000 per annum
18	1 Clerk	\$ 2,100 per annum
19	1 Institution Surgeon	\$ 5,000 per annum
20	1 Superintendent of Child Welfare.....	\$ 5,000 per annum
21	2 Assistant Superintendents of Charities, at	
22	\$3,600	\$ 7,200 per annum
23	For OFFICE EXPENSES	\$ 7,000.00
24	For TRAVEL	\$ 26,400.00
25	For REPAIRS AND EQUIPMENT.....	\$ 3,700.00
26	For CONTINGENCIES	\$100,000.00
27	(Total for General Office, Department of Public Welfare, \$277,820.00.)	

Division of Pardons and Paroles.

(79) To the Department of Public Welfare:

2	For SALARIES AND WAGES	\$140,400.00
3	For the following positions at not to exceed the annual rates herein specified:	
4	1 Assistant Superintendent of Pardons and	
5	Paroles	\$ 4,500 per annum
6	2 Assistant Superintendents of Pardons and	
7	Paroles at \$4,000	\$ 8,000 per annum
8	1 Chief Clerk	\$ 3,000 per annum
9	2 Stenographers at \$1,500	\$ 3,000 per annum
10	2 Stenographers at \$1,200	\$ 2,400 per annum
11	1 Stenographe (Chicago office).....	\$ 1,500 per annum
12	1 File Clerk	\$ 1,200 per annum
13	1 Court Reporter	\$ 2,000 per annum
14	1 Chief Parole Agent	\$ 2,500 per annum
15	1 Parole Agent	\$ 2,100 per annum
16	20 Parole Agents at \$2,000.....	\$40,000 per annum
17	For OFFICE EXPENSES	\$ 4,000.00
18	For TRAVEL	\$ 50,000.00
19	For REPAIRS AND EQUIPMENT.....	\$ 1,600.00
20	(Total for Pardons and Paroles, \$196,000.00.)	

Division of Visitation of Children.

(80) To the Department of Public Welfare:

2	For SALARIES AND WAGES	\$ 51,400.00
3	For the following positions at not to exceed the annual rates herein specified:	
4	1 State Agent	\$ 3,000 per annum
5	1 Assistant State Agent	\$ 2,000 per annum
6	3 Stenographers at \$1,200	\$ 3,600 per annum
7	3 Home Visitors at \$1,500	\$ 4,500 per annum

8	5 Home Visitors at \$1,800	\$ 9,000 per annum
9	3 Home Visitors at \$1,200	\$ 3,600 per annum
10	For OFFICE EXPENSES	\$ 1,800.00
11	For TRAVEL	\$ 30,000.00
12	For REPAIRS AND EQUIPMENT.....	\$ 1,250.00
13	(Total for Visitation of Children, \$84,450.00.)	

Division of Visitation of Adult Blind.

(81) To the Department of Public Welfare:

2	For SALARIES AND WAGES	\$ 18,000.00
3	For the following positions at not to exceed the annual rates herein specified:	
4	1 Industrial Teacher (Foreman).....	\$ 1,500 per annum
5	6 Teachers at \$1,200	\$ 7,200 per annum
6	1 Clerk (part time)	\$ 300 per annum
7	For OFFICE EXPENSES	\$ 870.00
8	For TRAVEL	\$ 4,000.00
9	For OPERATION	\$ 3,000.00
10	For REPAIRS AND EQUIPMENT.....	\$ 425.00
11	(Total for Visitation of Adult Blind, \$26,295.00.)	

Division of Welfare Commissioners.

(82) To the Department of Public Welfare:

2	For SALARIES AND WAGES	\$ 15,500.00
3	For the following positions at not to exceed the annual rates herein specified:	
4	1 Executive Secretary	\$ 2,700 per annum
5	1 Stenographer	\$ 1,500 per annum
6	Extra Clerk Hire	\$ 250 per annum
7	1 Inspector of Institutions	\$ 1,500 per annum
8	1 Inspector of Institutions	\$ 1,800 per annum
9	For OFFICE EXPENSES	\$ 1,200.00
10	For TRAVEL	\$ 8,000.00
11	For REPAIRS AND EQUIPMENT.....	\$ 100.00
12	(Total for Welfare Commissioners, \$24,800.00.)	

(83) To the Department of Public Welfare:

2 For conveying to penitentiaries:

3 For conveying convicts to the penitentiary and to and from the
 4 penitentiary in cases of new trials or when used as witnesses
 5 in cases, to be paid in the manner now provided by law: *Pro-*
 6 *vided*, that when more than one person is convicted at the same
 7 term of court and is committed to the penitentiary, the sheriff
 8 shall receive fees at the rate of twenty-five cents for each and
 9 every mile necessarily traveled in going to the penitentiary
 10 from the place of conviction for the first convict so conveyed;
 11 fifteen cents per mile for the second convict so conveyed; ten
 12 cents per mile for each of the residue \$ 25,000.00

13 For conveying to reformatory:

14 For conveying offenders to the Illinois State Reformatory at
 15 Pontiac, and to and from the Reformatory in cases of new
 16 trials, or when used as witnesses in cases, such payments in
 17 each case to be ascertained and paid in the same manner above
 18 required for the conveying of prisoners to the penitentiary... \$ 25,000.00

19 For conveying delinquent boys to the St. Charles School for Boys:

20 For conveying delinquent boys to the St. Charles School for
 21 Boys and to and from the St. Charles School for Boys in
 22 cases of new trials or when used as witnesses in cases, such pay-
 23 ment in each case to be ascertained and paid in the same manner
 24 above required for the conveying of prisoners to the penitentiary \$ 25,000.00

25 For conveying female offenders to the State Training School for Girls:

26 For conveying female offenders to the State Training School for
 27 Girls and to and from the State Training School for Girls in
 28 cases of new trials or when used as witnesses in cases, such
 29 payments in each case to be ascertained and paid in the same
 30 manner above required for the conveying of prisoners to the
 31 penitentiary \$ 12,000.00

32 For transfer of insane criminals:

33 For the payment of the expenses of the transfer of any insane
 34 person or persons to the Illinois Asylum for Insane Criminals,
 35 either from any of the other State institutions or upon the
 36 order or mittimus of any of the several State courts..... \$ 2,000.00
 37 (Total for the Department of Public Welfare for the above purposes
 38 \$89,000.00.)

DEPARTMENT OF PUBLIC HEALTH.

(84) To the Department of Public Health:

2 For SALARIES AND WAGES..... \$551,480.00

3 For the following positions at not to exceed the annual rates herein
 4 specified:

General Office.

6 1 Chief Clerk\$ 3,200 per annum
 7 1 Superintendent of Field Service.....\$ 3,000 per annum
 8 1 Superintendent of Publicity.....\$ 2,700 per annum
 9 1 Stenographer and Clerk.....\$ 2,000 per annum
 10 1 Stenographer and Junior Accountant ...\$ 1,500 per annum
 11 1 Stenographer and Clerk.....\$ 1,200 per annum
 12 1 Messenger and Stock Clerk.....\$ 1,200 per annum
 13 1 Private Secretary\$ 2,400 per annum
 14 Extra Help\$ 2,000 per annum

Division of Child Hygiene and Public Health Nursing.

2 1 Superintendent\$ 4,200 per annum
 3 1 Stenographer and Clerk\$ 1,200 per annum
 4 1 Assistant Superintendent (Orthopedist), \$ 3,200 per annum
 5 1 Assistant Superintendent (Pediatrician), \$ 3,000 per annum
 6 1 Supervising Nurse\$ 3,000 per annum
 7 Public Health Nurses at \$1,500 to \$1,800
 8 each\$ 8,000 per annum

Division of Tuberculosis.

2	1 Supervisor of Sanatoria and Dispen-	
3	saries	\$ 3,000 per annum
4	1 Stenographer and Clerk.....	\$ 1,200 per annum

Division of Communicable Diseases.

2	1 Chief of District Health Superintend-	
3	ents	\$ 5,000 per annum
4	1 Chief Epidemiologist	\$ 4,000 per annum
5	1 Assistant Epidemiologist	\$ 3,000 per annum
6	25 District Health Superintendents at from	
7	\$2,400 to \$4,800 each.....	\$100,000 per annum
8	2 Quarantine Officers at \$1,800.....	\$ 3,600 per annum
9	1 Statistical Clerk	\$ 1,500 per annum
10	2 Clerks at \$1,620.....	\$ 3,240 per annum
11	1 Stenographer and Clerk	\$ 1,400 per annum
12	4 Stenographers at \$1,200	\$ 4,800 per annum
13	Stenographic Service for District Health	
14	Superintendents and Quarantine Offi-	
15	cers	\$ 1,500 per annum

Division of Laboratories.

2	1 Superintendent of Laboratories.....	\$ 4,000 per annum
---	---------------------------------------	--------------------

Division of Diagnostic Laboratory.

2	1 Senior Bacteriologist	\$ 2,700 per annum
3	1 Assistant Bacteriologist	\$ 1,800 per annum
4	1 Assistant Bacteriologist	\$ 1,500 per annum
5	1 Laboratory Helper	\$ 1,200 per annum
6	1 Stenographer and Clerk.....	\$ 1,200 per annum
7	1 Clerk	\$ 1,000 per annum
8	1 Clerk	\$ 1,020 per annum
9	1 Cleaner	\$ 900 per annum

10	For Service of Bacteriologists, Serologists,
11	Chemists and Clerks in Branch Labora-
12	tories\$ 3,600 per annum

Division of Biological Laboratory.

2	1 Assistant Bacteriologist\$ 2,100 per annum
3	1 Accounting Clerk\$ 1,500 per annum
4	1 Laboratory Helper\$ 1,080 per annum
5	1 Stenographer and Clerk.....\$ 1,200 per annum
6	1 Record and Shipping Clerk.....\$ 1,200 per annum
7	1 Custodian (Serum Laboratory).....\$ 900 per annum
8	For services for treatment of citizens who
9	are or may be afflicted with rabies\$ 2,000 per annum

Division of Sanitation.

2	1 Chief Sanitary Engineer.....\$ 4,200 per annum
3	For Analyst from \$1,800 to \$2,800.....\$ 7,000 per annum
4	1 Supervisor of Surveys.....\$ 2,200 per annum
5	1 Supervisor of Rural Hygiene.....\$ 2,400 per annum
6	1 Laboratory Cleaner\$ 1,200 per annum
7	1 Filter Attendant\$ 1,200 per annum
8	1 Stenographer\$ 1,500 per annum
9	2 Stenographers at \$1,200..... 2,400 per annum
10	1 Stenographer and Clerk.....\$ 1,200 per annum
11	For Assistant Engineers and Saitarians at
12	from \$1,800 to \$3,600 .....\$12,200 per annum

Division of Public Health Instruction.

2	1 Chief of Public Health Instruction\$ 2,700 per annum
3	1 Librarian and File Clerk.....\$ 1,400 per annum
4	1 Exhibit Helper and Mail Clerk.....\$ 1,200 per annum
5	For Medical, Nursing and other necessary
6	assistants for Baby Health Conferences
7	and public health exhibits.....\$ 1,000 per annum

Division of Vital Statistics.

2	1 Registrar (Vital Statistics).....	\$ 2,700 per annum	
3	Assistant (Registrar of Vital Statistics) ...	\$ 2,100 per annum	
4	1 Medical Assistant	\$ 2,000 per annum	
5	2 Field Agents at \$1,800.....	\$ 3,600 per annum	
6	1 Classification Clerk.....	\$ 1,200 per annum	
7	1 Recording Clerk	\$ 1,200 per annum	
8	1 Tabulating Clerk	\$ 1,200 per annum	
9	1 Receiving Clerk	\$ 1,200 per annum	
10	1 File Clerk.....	\$ 1,200 per annum	
11	1 Tabulating Machine Operator.....	\$ 1,200 per annum	
12	1 Tabulating Machine Operator.....	\$ 1,000 per annum	
13	1 Stock and Shipping Clerk.....	\$ 1,000 per annum	
14	2 Stenographers at \$1,200.....	\$ 2,400 per annum	
14	3 Stenographers and Clerks at \$1,200	\$ 3,600 per annum	
15	4 Typists and Clerks at \$1,000.....	\$ 4,000 per annum	
16	1 Typist and Clerk.....	\$ 1,000 per annum	
17	For OFFICE EXPENSES.....		\$ 20,990.00
18	For TRAVEL		\$130,000.00
19	For OPERATION		\$107,950.00
20	For REPAIRS AND EQUIPMENT.....		\$ 25,749.00
21	For CONTINGENCIES		\$ 12,000.00

Division of Lodging House Inspection.

(85) To the Department of Public Health:

2	For SALARIES AND WAGES.....	\$ 24,400.00
3	For the following positions at not to exceed the annual rates herein specified:	
4	5 Inspectors at \$1,800.....	\$ 9,000 per annum
5	1 Stenographer and Clerk.....	\$ 2,000 per annum
6	For extra help	\$ 1,200 per annum

7	For OFFICE EXPENSES	\$ 6,000.00
8	For TRAVEL	\$ 600.00
9	For OPERATION	\$ 50.00
10	For REPAIRS AND EQUIPMENT.....	\$ 1,300.00
11	For CONTINGENCIES	\$ 1,200.00

Division of Social Hygiene Control.

(86) To the Department of Public Health:

2	For SALARIES AND WAGES.....	\$ 30,000.00
3	For OFFICE EXPENSES	\$ 10,000.00
4	For TRAVEL	\$ 12,000.00
5	For OPERATION	\$ 19,000.00
6	For REPAIRS AND EQUIPMENT.....	\$ 13,600.00
7	For CONTINGENCIES	\$ 15,400.00
8	(Total for the Department of Public Health, \$981,719.00.)	

DEPARTMENT OF TRADE AND COMMERCE.

General Office.

(87) To the Department of Trade and Commerce:

2	For SALARIES AND WAGES.....	\$ 31,600.00
3	For the following positions at not to exceed the annual rates herein specified:	
4	1 Private Secretary	\$ 2,400 per annum
5	1 Bookkeeper and Stenographer.....	\$ 1,800 per annum
6	1 Index and Filing Clerk.....	\$ 1,500 per annum
7	1 Inspector of Weights and Measures	\$ 1,800 per annum
8	1 Examiner of small Loan Agencies	\$ 2,100 per annum
9	1 Messenger	\$ 1,200 per annum
10	Extra Help (for Department).....	\$ 5,000 per annum
11	For OFFICE EXPENSES.....	\$ 1,300.00
12	For TRAVEL	\$ 8,000.00
13	For OPERATION	\$ 600.00

14	For REPAIRS AND EQUIPMENT.....	\$ 2,900.00
15	For CONTINGENCIES	\$ 20,000.00
16	(Total for General Office, Department of Trade and Commerce, \$64,400.00.)	

Division of Standards.

(88) To the Department of Trade and Commerce:

2	For SALARIES AND WAGES.....	\$ 25,200.00
3	For the following positions at not to exceed the annual rates herein specified:	
4	7 Inspectors at \$1,800.....	\$12,600 per annum
5	For TRAVEL	\$ 10,200.00
6	For OPERATION	\$ 4,200.00
7	For EQUIPMENT	\$ 14,800.00
8	(Total for Division of Standards, \$54,400.00.)	

Division of Insurance.

(89) To the Department of Trade and Commerce:

2	For SALARIES AND WAGES	\$172,320.00
3	For the following positions at not to exceed the annual rates herein specified:	
4	1 Actuary	\$ 4,500 per annum
5	1 Assistant Actuary	\$ 3,000 per annum
6	1 Securities Examiner	\$ 3,000 per annum
7	1 Chief Insurance Clerk.....	\$ 3,300 per annum
8	1 Cashier, Bookkeeper and Tax Expert.....	\$ 3,000 per annum
9	1 Index and File Clerk	\$ 1,800 per annum
10	1 Chief Insurance Examiner.....	\$ 3,500 per annum
11	3 Insurance Examiners at \$2,500.....	\$ 7,500 per annum
12	1 Insurance Examiner to be an Actuary.....	\$ 3,500 per annum
13	1 Fire, Inter-Insurance and Lloyds Examiner	\$ 3,300 per annum
14	1 Legal Reserve Life Examiner.....	\$ 3,000 per annum
15	1 Agency Examiner	\$ 2,500 per annum
16	3 Insurance Clerks at \$1,500.....	\$ 4,500 per annum
17	1 Insurance Clerk.....	\$ 2,200 per annum

18	1 Insurance Clerk.....	\$ 2,000 per annum	
19	6 Insurance Clerks at \$1,800.....	\$10,800 per annum	
20	1 Insurance Clerk	\$ 1,200 per annum	
21	4 Stenographers and Audit Clerks at \$1,500..	\$ 6,000 per annum	
22	1 Stenographer	\$ 1,200 per annum	
23	1 Stenographer	\$ 1,200 per annum	
24	1 Watchman	\$ 960 per annum	
25	1 Messenger	\$ 1,200 per annum	
26	Extra help	\$ 3,000 per annum	
27	Additional Examiners	\$10,000 per annum	
28	For OFFICE EXPENSES	\$	9,250.00
29	For TRAVEL	\$	30,000.00
30	For REPAIRS AND EQUIPMENT.....	\$	9,000.00
31	For CONTINGENCIES	\$	2,000.00
32	(Total for Insurance, \$222,570.00.)		

Division of Chicago Grain Inspection.

(90) To the Department of Trade and Commerce:

2	For SALARIES AND WAGES	\$491,320.00	
3	For the following positions at not to exceed the annual rates herein specified:		
4	1 Assistant Chief Inspector.....	\$ 4,500 per annum	
5	1 Chief Supervisor	\$ 3,300 per annum	
6	3 Supervisory Inspectors at \$2,700.....	\$ 8,100 per annum	
7	1 Laboratory Supervisor	\$ 2,400 per annum	
8	20 Class "A" Inspectors at \$2,400.....	\$48,000 per annum	
9	10 Class "B" Inspectors at \$1,800.....	\$18,000 per annum	
10	33 Grain Samplers at \$1,620.....	\$53,460 per annum	
11	25 Grain Helpers at \$1,500.....	\$37,500 per annum	
12	5 Grain Clerks at \$1,500.....	\$ 7,500 per annum	
13	5 Grain Clerks at \$1,620.....	\$ 8,100 per annum	
14	5 Grain Clerks at \$1,740.....	\$ 8,700 per annum	

15	1 Clerk	\$ 1,800 per annum	
16	1 Chief Clerk and Auditor.....	\$ 4,200 per annum	
17	1 Chief Record Clerk	\$ 2,400 per annum	
18	1 Bookkeeper	\$ 2,000 per annum	
19	1 Registrar	\$ 2,500 per annum	
20	1 Assistant Registrar	\$ 1,800 per annum	
21	1 Stenographer	\$ 1,500 per annum	
22	1 Stenographer	\$ 1,200 per annum	
23	1 Stenographer and Bookkeeper	\$ 2,000 per annum	
24	3 Certificate Writers (Typists) at \$1,200....	\$ 3,600 per annum	
25	1 Telephone Operator-Clerk	\$ 1,200 per annum	
26	1 Messenger (with auto truck).....	\$ 1,800 per annum	
27	2 Bulletin Messengers at \$1,200.....	\$ 2,400 per annum	
28	1 Janitor	\$ 1,200 per annum	
29	1 Chauffeur	\$ 1,500 per annum	
30	Overtime	\$15,000 per annum	
31	For OFFICE EXPENSES		\$ 44,000.00
32	For TRAVEL		\$ 12,000.00
33	For OPERATION		\$ 7,000.00
34	For REPAIRS AND EQUIPMENT		\$ 8,000.00
35	For CONTINGENCIES		\$ 2,000.00
36	(Total for Chicago Grain Inspection, \$564,320.00.)		

Division of East St. Louis Grain Inspection.

(91) To the Department of Trade and Commerce:

2	For SALARIES AND WAGES	\$ 72,080.00
3	For the following positions at not to exceed the annual rates herein specified:	
4	1 Superintendent of Inspection.....	\$ 3,300 per annum
5	1 Registrar and Chief Clerk	\$ 2,400 per annum
6	1 Clerk	\$ 1,800 per annum
7	Clerk	\$ 1,620 per annum

8	1 Supervising Grain Inspector	\$ 2,700 per annum	
9	2 Class "A" Inspectors, at \$2,400	\$ 4,800 per annum	
10	3 Class "B" Inspectors, at \$1,800	\$ 5,400 per annum	
11	6 Inspectors (Samplers) at \$1,620	\$ 9,720 per annum	
12	2 Inspectors (Helpers) at \$1,500	\$ 3,000 per annum	
13	For Janitor Service	\$ 300 per annum	
14	Overtime	\$ 1,000 per annum	
15	For OFFICE EXPENSES	\$ 3,600.00	
16	For TRAVEL	\$ 1,400.00	
17	For OPERATION	\$ 1,600.00	
18	For REPAIRS AND EQUIPMENT	\$ 1,500.00	
19	For CONTINGENCIES	\$ 1,000.00	
20	(Total for East St. Louis Grain Inspection, \$81,180.00.)		

Division of Fire Prevention.

(92) To the Department of Trade and Commerce:

2	For SALARIES AND WAGES	\$224,840.00	
3	For the following positions at not to exceed the annual rates herein specified:		
4	2 Assistant Fire Marshalls at \$2,700	\$ 5,400 per annum	
5	2 Second Assistant Fire Marshalls at \$2,500	\$ 5,000 per annum	
6	1 Inspector	\$ 2,400 per annum	
7	1 Investigator	\$ 2,220 per annum	
8	25 Inspectors at \$2,000	\$50,000 per annum	
9	15 Investigators at \$1,800	\$27,000 per annum	
10	1 Secretary and Stenographer	\$ 1,800 per annum	
11	2 Stenographers at \$1,500	\$ 3,000 per annum	
12	3 Stenographers at \$1,200	\$ 3,600 per annum	
13	1 Filing Clerk and Statistician	\$ 1,800 per annum	
14	1 Messenger	\$ 1,200 per annum	
15	Special Stenographic Services	\$ 1,500 per annum	

16	Fees to Town Clerks, Mayors and Fire	
17	Chiefs	\$ 7,500 per annum
18	For OFFICE EXPENSES	\$ 17,950.00
19	For TRAVEL	\$ 74,000.00
20	For OPERATION	\$ 2,400.00
21	For REPAIRS AND EQUIPMENT.....	\$ 2,200.00
22	For CONTINGENCIES	\$ 40,000.00
23	All appropriations to the Division of Fire Prevention, in the Department of	
24	Trade and Commerce, shall be paid from the Fire Prevention Fund in the State	
25	Treasury.	
26	(Total for Fire Prevention, \$361,390.00.)	

Division of Illinois Commerce Commission.

(93) To the Department of Trade and Commerce:

2	For SALARIES AND WAGES.....	\$685,300.00
3	For the following positions at not to exceed the annual rates herein	
4	specified:	
5	Executive Section.	
6	8 Assistant Commissioners at \$5,000.....	\$40,000 per annum
7	1 Assistant Secretary	\$ 3,500 per annum
8	1 Assistant Secretary (Chicago Office) ...	\$ 1,950 per annum
9	1 Bookkeeper	\$ 1,500 per annum
10	1 Private Secretary	\$ 3,000 per annum
11	4 Private Secretaries at \$3,000.....	\$12,000 per annum
12	3 Examiners at \$3,600.....	\$10,800 per annum
13	1 Utilities Contract Expert.....	\$ 3,000 per annum
14	1 Supervisor of Orders.....	\$ 5,000 per annum
15	1 Docket and Filing Clerk.....	\$ 2,100 per annum
16	2 Filing Clerks at \$1,320.....	\$ 2,640 per annum
17	3 Filing Clerks at \$1,200.....	\$ 3,600 per annum
18	5 Stenographers at \$1,500.....	\$ 7,500 per annum

19	5 Stenographers at \$1,200.....	\$ 6,000 per annum
20	1 Messenger	\$ 1,200 per month

Engineering Section.

2	1 Chief Engineer	\$ 6,000 per annum
3	1 Assistant Chief Engineer	\$ 5,000 per annum
4	1 Railroad Engineer	\$ 4,000 per annum
5	1 Assistant Railroad Engineer.....	\$ 3,000 per annum
6	1 Gas Engineer	\$ 5,000 per annum
7	1 Assistant Gas Engineer.....	\$ 3,600 per annum
8	1 Telephone Engineer	\$ 5,000 per annum
9	1 Assistant Telephone Engineer.....	\$ 3,600 per annum
10	1 Electrical Engineer	\$ 5,000 per annum
11	1 Assistant Electrical Engineer.....	\$ 3,600 per annum
12	1 Service Engineer	\$ 4,000 per annum
13	1 Assistant Service Engineer.....	\$ 3,000 per annum
14	1 Water and Heat Engineer.....	\$ 5,000 per annum
15	1 Assistant Water and Heat Engineer	\$ 3,600 per annum
16	1 Office Engineer	\$ 2,400 per annum
17	1 Laboratory Engineer	\$ 3,000 per annum
18	22 Assistant Engineers at \$1,800 to \$2,700..	\$52,500 per annum
19	2 Railroad Inspectors at \$1,800.....	\$ 3,600 per annum
20	1 Utilities Rate Clerk.....	\$ 2,000 per annum
21	7 Stenographers at \$1,200.....	\$ 8,400 per annum
22	1 Stenographer	\$ 1,500 per annum
23	6 Stenographers at \$1,320.....	\$ 7,920 per annum
24	1 Filing Clerk	\$ 1,500 per annum
25	1 Messenger	\$ 1,200 per annum

Accounting Section.

2	1 Chief Accountant	\$ 6,000 per annum
3	1 Assistant Chief Accountant	\$ 4,500 per annum

4	1 Chief Examiner	\$ 3,000 per annum
5	7 Examiners of Accounts at \$2,700.....	\$18,900 per annum
6	1 Assistant Accountant	\$ 2,400 per annum
7	2 Assistant Accountants at \$2,100.....	\$ 4,200 per annum
8	1 Assistant Accountant	\$ 1,800 per annum
9	1 Statistician	\$ 2,400 per annum
10	1 Assistant Statistician	\$ 2,100 per annum
11	1 Stenographer	\$ 1,500 per annum
12	3 Stenographers at \$1,200.....	\$ 3,600 per annum
13	2 Stenographers at \$1,320.....	\$ 2,640 per annum

Transportation Rate Section.

2	1 Transportation Rate Expert.....	\$ 6,000 per annum
3	1 Assistant Transportation Rate Expert ...	\$ 4,500 per annum
4	2 Tariff Clerks at \$1,800.....	\$ 3,600 per annum
5	1 Assistant Accountant	\$ 2,400 per annum
6	1 Stenographer	\$ 1,500 per annum
7	1 Stenographer	\$ 1,200 per annum
8	Janitor Service	\$ 1,200 per annum
9	Court reporting	\$20,800 per annum
10	Fees	\$ 1,200 per annum
11	For OFFICE EXPENSES	\$ 60,200.00
12	For TRAVEL	\$ 98,000.00
13	For OPERATION	\$ 800.00
14	For REPAIRS AND EQUIPMENT.....	\$ 10,300.00
15	For CONTINGENCIES	\$ 4,000.00
16	For Valuations and Investigations.....	\$ 50,000.00
17	(Total for the Illinois Commerce Commission, \$908,600.00.)	

DEPARTMENT OF REGISTRATION AND EDUCATION.

General Office.

(94) To the Department of Registration and Education:

2	For SALARIES AND WAGES.....	\$ 13,200.00
3	For the following positions at not to exceed the annual rates herein specified:	
4	1 Private Secretary	\$ 2,400 per annum
5	1 Stenographer	\$ 1,200 per annum
6	1 Cashier and Business Manager.....	\$ 3,000 per annum
7	For OFFICE EXPENSES	\$ 2,750.00
8	For TRAVEL	\$ 10,000.00
9	For REPAIRS AND EQUIPMENT.....	\$ 800.00
10	(Total for General Office, Department of Registration and Education, \$26,750.)	

Division of Registration.

(95) To the Department of Registration and Education:

2	For SALARIES AND WAGES.....	\$132,080.00
3	For the following positions at not to exceed the annual rates herein specified:	
4	1 Assistant in Professional Education	\$ 3,000 per annum
5	3 Inspectors at \$1,800.....	\$ 5,400 per annum
6	1 Inspector	\$ 2,100 per annum
7	2 Inspectors at \$1,500.....	\$ 3,000 per annum
8	2 Clerks at \$1,200.....	\$ 2,400 per annum
9	1 Clerk	\$ 1,320 per annum
10	1 Clerk	\$ 1,500 per annum
11	1 Clerk	\$ 1,800 per annum
12	1 Clerk	\$ 1,800 per annum
13	1 Clerk	\$ 2,100 per annum
14	2 Clerks at \$1,500.....	\$ 3,000 per annum
15	1 Court Reporter	\$ 2,100 per annum
16	2 Stenographers at \$1,200.....	\$ 2,400 per annum

17	1 Stenographer	\$ 1,320 per annum	
18	1 Stenographer	\$ 1,500 per annum	
19	1 Stenographer and Clerk.....	\$ 1,200 per annum	
20	1 Messenger	\$ 1,200 per annum	
21	1 Clerk	\$ 1,800 per annum	
22	1 Stenographer and Clerk.....	\$ 2,100 per annum	
23	2 Stenographers at \$1,500.....	\$ 3,000 per annum	
24	For per diem Examining Committees	\$ 1,800 per annum	
25	For Monitor and Extra Help.....	\$ 2,200 per annum	
26	1 Manager Chicago Office.....	\$ 1,800 per annum	
27	For OFFICE EXPENSES		\$ 26,000.00
28	For TRAVEL		\$ 31,000.00
29	For Operation		\$ 1,200.00
30	For REPAIRS AND EQUIPMENT.....		\$ 3,800.00
31	For CONTINGENCIES		\$ 2,000.00
32	For REFUND OF FEES.....		\$ 2,000.00
33	(Total for Registration, \$198,080.)		

Division of State Museum.

(96) To the Department of Registration and Education:

2	For SALARIES AND WAGES.....		\$ 18,400.00
3	For the following position at not to exceed the annual rates herein specified:		
4	1 Chief of Division.....	\$ 4,000 per annum	
5	1 Assistant Curator	\$ 1,500 per annum	
6	1 Clerk and Stenographer.....	\$ 1,500 per annum	
7	1 Custodian and Janitor.....	\$ 1,200 per annum	
8	Manual Help	\$ 500 per annum	
9	Scientific and Artistic Workers.....	\$ 500 per annum	
10	For OFFICE EXPENSES.....		\$ 2,500.00
11	For TRAVEL		\$ 1,400.00

12	For REPAIRS AND EQUIPMENT.....	\$ 13,450.00
13	For moving to Centennial Building.....	\$ 5,000.00
14	(Total for the State Museum, \$40,750.)	

Division of Natural History Survey.

(97) To the Department of Registration and Education:

2	For SALARIES AND WAGES.....	\$ 92,600.00
3	For the following positions at not to exceed the annual rates herein specified:	
4	1 Chief of Division.....	\$ 5,000 per annum
5	Entomologists and Zoologists.....	\$19,700 per annum
6	Foresters and Botanists.....	\$13,100 per annum
7	Clerks and Stenographers.....	\$ 5,000 per annum
8	Librarian, part time, and assistants	\$ 1,100 per annum
9	Miscellaneous part time assistants.....	\$ 2,400 per annum
10	For OFFICE EXPENSES.....	\$ 1,680.00
11	For TRAVEL	\$ 17,700.00
12	For OPERATION	\$ 3,500.00
13	For REPAIRS AND EQUIPMENT.....	\$ 8,705.00
14	For CONTINGENCIES	\$ 1,000.00
15	(Total for Natural History Survey, \$125,185.)	

Division of State Geological Survey.

(98) To the Department of Registration and Education:

2	For SALARIES AND WAGES	\$ 79,730.00
3	For the following positions at not to exceed the annual rates herein specified:	
4	1 Chief of Division	\$ 5,000 per annum
5	Scientific and Technical Staff	\$30,535 first year
6	Scientific and Technical Staff.....	\$26,215 second year
7	Clerks, Stenographers, Rodmen, Messeng-	
8	ers and extra help	\$ 6,490 per annum
9	For OFFICE EXPENSES	\$ 3,540.00
10	For TRAVEL	\$ 19,300.00

11	For OPERATION	\$ 6,570.00
12	For REPAIRS AND EQUIPMENT.....	\$ 9,145.00
13	For CONTINGENCIES	\$ 1,000.00
14	For Topographic Surveys	\$ 40,000.00
15	(Total for Division of State Geological Survey, \$159,285.00.)	

Division of Water Survey

(99) To the Department of Registration and Education:

2	For SALARIES AND WAGES	\$ 58,250.00
3	For the following positions at not to exceed the annual rates herein specified:	
4	1 Chief of Division (part time).....	\$ 3,000 per annum
5	Engineers, Chemists and Bacteriologists	\$16,125 per annum
6	Chief Clerk, Editor and Stenographers...	\$ 4,000 per annum
7	Janitor and Day Laborers	\$ 6,000 per annum
8	For OFFICE EXPENSES	\$ 1,700.00
9	For TRAVEL	\$ 5,000.00
10	For OPERATION	\$ 6,050.00
11	For REPAIRS AND EQUIPMENT.....	\$ 14,700.00
12	For CONTINGENCIES	\$ 1,000.00
13	(Total for Division of Water Survey, \$86,700.00.)	

Division of Immigrants' Commission.

(100) To the Department of Registration and Education:

2	For SALARIES AND WAGES	\$ 41,520.00
3	For the following positions at not to exceed the annual rates herein specified:	
4	1 Executive Secretary	\$ 4,000 per annum
5	For Investigators, Stenographers and ex-	
6	tra Help	\$16,760 per annum
7	For OFFICE EXPENSES	\$ 5,100.00
8	For TRAVEL	\$ 9,000.00
9	For REPAIRS AND EQUIPMENT.....	\$ 2,380.00
10	(Total for the Immigrants' Commission, \$58,000.00.)	

THE ADJUTANT GENERAL.

(101) To the Adjutant General:

2	For SALARIES AND WAGES	\$ 53,440.00
3	For the following positions at not to exceed the annual rates herein specified:	
4	1 Chief Clerk	\$ 2,500 per annum
5	1 Department Auditor	\$ 2,400 per annum
6	1 Quartermaster, Government Stores	\$ 2,400 per annum .
7	1 Private Secretary	\$ 2,400 per annum
8	1 Stenographer	\$ 1,320 per annum
9	3 Stenographers at \$12,00	\$ 3,600 per annum
10	1 Clerk	\$ 1,500 per annum
11	1 Clerk	\$ 1,200 per annum
12	1 Custodian Memorial Hall	\$ 1,500 per annum
13	1 Custodian State Arsenal	\$ 1,500 per annum
14	1 Custodian Camp Lincoln	\$ 1,500 per annum
15	1 Custodian Camp Logan	\$ 1,500 per annum
16	1 Watchman State Arsenal	\$ 1,000 per annum
17	1 Ordnance Sergeant, State Arsenal	\$ 1,200 per annum
18	1 Messenger	\$ 1,200 per annum
19	For OFFICE EXPENSES	\$ 8,000.00
20	For TRAVEL	\$ 20,000.00
21	For REPAIRS AND EQUIPMENT.....	\$ 1,000.00
22	For CONTINGENCIES, Moving Memorial Hall	\$ 500.00
23	For Additional Inscriptions Kenesaw Mountain Monument	\$ 400.00
24	(Total for the Adjutant General, \$83,340.00.)	

Illinois National Guard and Naval Reserve.

(102) To the Adjutant General:

2	For Pay of Officers and Troops for duties ordered by the Com-	
3	mander-in-Chief, permanent salaried Officers and Civil Employes	\$290,000.00
4	For Transportation of officers and men traveling under orders...	\$140,000.00

5	For Armory rent, fuel and light.....	\$400,000.00
6	For Camp and Garrison, equipage, clothing, equipment, medical sup-	
7	plies, naval supplies, lighting camps, laundry, general repairs..	\$ 50,000.00
8	For subsistence of troops.....	\$140,000.00
9	For horse hire and forage.....	\$ 50,000.00
10	For rifle practice	\$ 50,000.00
11	For miscellaneous expenses	\$ 40,000.00
12	For cleaning and altering uniforms	\$ 10,000.00
13	For ordinary biennial repairs:	
14	State Arsenal	\$ 6,000.00
15	8th Infantry Armory	\$ 6,200.00
16	7th Infantry Armory	\$ 7,000.00
17	Aurora Armory	\$ 1,000.00
18	Woodstock Armory	\$ 700.00
19	Ottawa Armory	\$ 1,200.00
20	1st Cavalry Armory (Chicago).....	\$ 7,600.00
21	2nd Infantry Armory (Chicago)	\$ 12,000.00
22	Quincy Armory	\$ 2,000.00
23	Monmouth Armory	\$ 2,000.00
24	Galesburg Armory	\$ 3,500.00
25	Kewanee Armory	\$ 1,200.00
26	Camp Lincoln Rifle Range	\$ 12,000.00
27	Camp Logan Rifle Range	\$ 6,000.00
28	For renewing plumbing and toilet room floor, State Arsenal.....	\$ 5,000.00
29	For repairing toilets, pointing up walls and plastering, Aurora Ar-	
30	mory	\$ 3,000.00
31	For repairing roof, pointing up stone and painting, Woodstock Ar-	
32	mory	\$ 800.00
33	For extraordinary repairs and painting, Galesburg Armory	\$ 2,800.00

34	For extraordinary repairs, Kewanee Armory	\$ 8,000.00
35	For Stable, Camp Lincoln	\$ 18,000.00
36	(Total for Illinois National Guard and Naval Reserve, \$1,276,000.00.)	

Soldiers' and Sailors' War Service Records.

(103) To the Adjutant General:

2	For SALARIES AND WAGES	\$ 18,400.00
3	For the following positions at not to exceed the annual rates herein specified:	
4	1 War Record Clerk	\$ 3,000 per annum
5	1 Assistant War Record Clerk.....	\$ 2,000 per annum
6	1 War Record Classification Clerk.....	\$ 1,800 per annum
7	2 Stenographers at \$1,200	\$ 2,400 per annum
8	For OFFICE EXPENSES	\$ 1,000.00
9	For TRAVEL	\$ 600.00
10	For REPAIRS AND EQUIPMENT.....	\$ 1,500.00
11	(Total for Soldiers' and Sailors' War Service Records, \$21,500.00.)	

Locating, Recording and Reporting the Burial Places of Soldiers and Sailors.

(104) To the Adjutant General:

2	For SALARIES AND WAGES	\$ 3,600.00
3	For the following positions at not to exceed the annual rates herein specified:	
4	1 Inspector	\$ 1,800 per annum
5	For TRAVEL	\$ 2,000.00
6	For Transportation and Setting Headstones	\$ 2,400.00
7	(Total for Locating, Recording and Reporting the Burial Places of Soldiers	
8	and Sailors, \$8,000.00.)	

ARMORIES.

(105) To the Adjutant General:

2	For the completion of an armory at Kankakee in addition to the	
3	sums appropriated and re-appropriated	\$ 60,000.00

CIVIL SERVICE COMMISSION.

(106) To the Civil Service Commission:

2	For SALARIES AND WAGES.....	\$ 50,560.00
3	For the following positions at not to exceed the annual rates herein specified:	
4	1 Assistant Examiner	\$ 2,400 per annum
5	1 Assistant Examiner	\$ 2,100 per annum
6	1 Assistant Examiner	\$ 1,800 per annum
7	1 Stenographer and Clerk.....	\$ 1,500 per annum
8	1 Clerk	\$ 1,800 per annum
9	4 Stenographers at \$1,200.....	\$ 4,800 per annum
10	2 Stenographers at \$1,320.....	\$ 2,640 per annum
11	1 Pay Roll Clerk.....	\$ 1,500 per annum
12	1 Pay Roll Clerk	\$ 1,320 per annum
13	1 Filing Clerk	\$ 1,320 per annum
14	1 Messenger	\$ 1,200 per annum
15	Local Medical Examiners.....	\$ 150 per annum
16	Special Examiners	\$ 1,750 per annum
17	Extra Help	\$ 1,000 per annum
18	For OFFICE EXPENSES.....	\$ 11,150.00
19	For TRAVEL	\$ 5,000.00
20	For REPAIRS AND EQUIPMENT.....	\$ 1,200.00
21	For CONTINGENCIES	\$ 2,000.00
22	(Total for the Civil Service Commission, \$69,910.00.)	

LEGISLATIVE REFERENCE BUREAU.

(107) To the Legislative Reference Bureau:

2	For SALARIES AND WAGES.....	\$ 54,540.00
3	For Librarian, Bill Drafters, Clerks, Stenog-	
4	raphers, Messengers and other personal	
5	service	\$24,820 first year
6	.....	\$29,720 second year

7	For OFFICE EXPENSES.....	\$ 2,125.00
8	For TRAVEL	\$ 2,000.00
9	For REPAIRS AND EQUIPMENT.....	\$ 2,700.00
10	For CONTINGENCIES.....	\$ 2,000.00
11	For Services, Constitutional Convention	\$ 2,500.00
12	(Total for Legislative Reference Bureau, \$65,865.00.)	

BOARD FOR VOCATIONAL EDUCATION.

(108) To the Board for Vocational Education:

2	For SALARIES AND WAGES.....	\$ 32,840.00
3	For OFFICE EXPENSES	\$ 6,400.00
4	For TRAVEL	\$ 12,000.00
5	For REPAIRS AND EQUIPMENT.....	\$ 2,000.00
6	For CONTINGENCIES	\$ 1,000.00
7	For Distribution to local school authorities for approved courses in	
8	vocational subjects and to teacher-training institutions for ap-	
9	proved teacher-training courses.....	\$478,368.00
10	The said appropriation to the Board of Vocational Education is made sub-	
11	ject to the condition that for each dollar expended therefrom, a like amount shall	
12	have been appropriated by the Federal Government and allotted to this State	
13	and expended concurrently with the expenditure of the said appropriation.	
14	(Total for the Board of Vocational Education, \$532,608.00.)	

ILLINOIS STATE HISTORICAL LIBRARY.

(109) To the Illinois State Historical Library:

2	For SALARIES AND WAGES.....	\$ 29,800.00
3	For the following positions at not to exceed the annual rates herein	
4	specified:	
5	1 Assistant Librarian	\$ 2,100 per annum
6	1 Stenographer and Record Clerk	\$ 1,800 per annum
7	1 Cataloger	\$ 1,200 per annum

8	1 Cataloger (second year only).....	\$ 1,500
9	1 Library Assistant (second year only).....	\$ 1,200
10	1 General Editor (Urbana), part time	\$ 1,750 per annum
11	1 Assistant Editor (Urbana).....	\$ 1,800 per annum
12	1 Stenographer (Urbana).....	\$ 1,200 per annum
13	1 Janitor and Messenger	\$ 1,200 per annum
14	For Temporary Employees.....	\$ 1,000 per annum
15	For Temporary Employees (Urbana)	\$ 1,500 per annum
16	For OFFICE EXPENSES	\$ 4,000.00
17	For TRAVEL	\$ 2,000.00
18	For REPAIRS AND EQUIPMENT.....	\$ 8,400.00
19	For CONTINGENCIES	\$ 2,500.00
20	For Historical Society	\$ 4,000.00
21	For War History	\$ 25,000.00
22	For History of Thirty-third Division and One Hundred Forty-	
23	ninth Artillery	\$ 10,000.00
24	(Total for the Illinois State Historical Library, \$85,700.00.)	

UNIFORM LAWS COMMISSION.

(110) To the Commission for the Uniformity of Legislation in the United States:

2	For SALARIES AND WAGES.....	\$ 400.00
3	For OFFICE EXPENSES	\$ 400.00
4	For TRAVEL	\$ 1,500.00
5	(Total for the Uniform Laws Commission, \$2,300.00.)	

(111) To the Service Recognition Board:

2	For SALARIES AND WAGES	\$ 49,000.00
3	For the following positions at not to exceed the rates herein specified:	
4	1 Chief Clerk, 8 months, at \$300 per mo.....	\$ 2,400
5	1 Assistant Chief Clerk, 8 months at \$200	
6	per month	\$ 1,600

7	75 Clerks, 6 months, each at \$100 per mo.....	\$45,000
8	For POSTAGE AND OFFICE EXPENSES	\$ 10,000.00
9	For REPAIRS AND EQUIPMENT.....	\$ 3,500.00
10	(Total for the Service Recognition Board, \$62,500.00.)	
11	Expenditures from the above appropriation to the Service Recognition	
12	Board shall not be made before November 1, 1922.	

BOARDS OF EDUCATION.

(112) To the boards of education named, to cover the excess cost for education the deaf, blind and delinquent children:

2	District 131, Rochelle, Ogle County.....	\$ 2,000.00
3	City of Chicago:	
4	Delinquent children	\$334,400.00
5	Deaf children	\$ 72,600.00
6	Blind children	\$ 19,200.00
7	District 131, Aurora, Kane County	\$ 2,500.00
8	(Total for the Boards of Education, \$430,700.00.)	

(113) To the Department of Public Works and Buildings:

2	For remodeling, furnishing and equipping quarters on the third	
3	floor of the Capitol to be used as reception rooms for members of	
4	the Senate and House of Representatives	\$ 60,000.00
5	Before any contracts are awarded or indebtedness incurred under	
6	the provisions of this item, all plans and specifications covering	
7	said improvements, furnishings and equipment, shall have the	
8	written approval of the President of the Senate and the Speak-	
9	er of the House of Representatives, of the Fifty-second General	
10	Assembly of the State of Illinois.	
11	Subsequent modifications of any plans or specifications shall like-	
12	wise have the written approval of the President of the Senate	
13	and the Speaker of the House of Representatives of the Fifty-	
14	second General Assembly of the State of Illinois.	

(114) To the Department of Public Works and Buildings:

2	For constructing and Equipping Vaults and remodeling and equip-	
3	ping office for the use of the Auditor of Public Accounts.....	\$ 91,500.00
4	Before any contracts are awarded or indebtedness incurred un-	
5	der the provisions of this item, all plans and specifications	
6	covering said construction, remodeling and equipment shall have	
7	the written approval of the Auditor of Public Accounts of the	
8	State of Illinois.	
9	Subsequent modifications of any plans or specification shall like-	
10	wise have the written approval of the Auditor of Public Accounts.	
11	To reimburse Edward Walz for money expended under the orders	
12	of and by direction of the General Assembly	\$ 504.75
13	To reimburse Joseph A. Trandel for money expended under the	
14	orders of and by direction of the General Assembly	\$ 640.00
15	To reimburse Joseph Petlak for money expended under the orders	
16	of and by direction of the General Assembly	\$ 600.00
17	To reimburse T. B. Scouten for money expended under the orders	
18	of and by direction of the General Assembly	\$ 1,073.27

Sec. 2. That the following named sums or so much thereof as may be unex-
 2 pended at the close of business June 30, 1921, to the extent that the same may
 3 be necessary, are respectively hereby re-appropriated out of appropriations
 4 heretofore made to the respective officers and departments as hereinafter men-
 5 tioned as follows:

6	To the Adjutant General: For procuring site and erection of	
7	armory for the use of the Illinois National Guard at Kankakee	\$ 64,000.00
8	To the Adjutant General: For procuring site and erection of	
9	armory for the use of the Illinois National Guard and Naval	
10	Reserve at Peoria.....	\$132,958.00

11	To the Department of Public Works and Buildings: For the pur-	
12	pose of constructing a monument on the Capitol grounds to	
13	the memory of Honorable Richard Yates, former Governor of	
14	the State of Illinois.....	\$ 24,929.00
15	To the Department of Public Works and Buildings: For the pur-	
16	pose of constructing a monument on the Capitol grounds to	
17	the memory of Honorable John M. Palmer, former Governor	
18	of the State of Illinois.....	\$ 24,939.00
19	To the Department of Public Works and Buildings: For the pur-	
20	pose of acquiring a site and erecting or constructing an armory	
21	at Danville, Illinois.....	\$134,470.00

Sec. 3. Amounts paid from appropriations for personal service of any officer
 2 or employe of the State either temporary or regular shall be considered as full
 3 payment for all services rendered between the dates specified in the payroll or
 4 other voucher and no additional sum shall be paid to such officer or employe from
 5 any lump sum appropriation, appropriation for extra help or other purpose or
 6 any accumulated balances in specific appropriations, which payments would con-
 7 stitute in fact an additional payment for work already performed and for which
 8 remuneration had already been made.

9 Disbursements from appropriations herein made which are subject to the
 10 approval or certification of the Director of Finance are subject to the following
 11 restrictions:

12 Payments for personal service except for positions specified in the appropri-
 13 ation Act shall be made in conformity with schedules and amendments thereto
 14 submitted by the respective officers and approved by the Director of the Depart-
 15 ment of Finance before becoming effective. Such schedules and amendments
 16 thereto may set up groups of employment showing the approximate number to
 17 be employed, with fixed or minimum and maximum salary rates.

Sec. 4. When and appropriation is herein made to any Department, Agency
2 or Officer of the State for land, such land shall be acquired by the Department
3 of Public Works and Buildings; and when any appropriation is herein made
4 to any Department, Agency or Officer of the State for Permanent Improve-
5 ments, the general plans, preliminary sketches and estimates for such perma-
6 nent improvements shall be made by the Department of Public Works and
7 Buildings, and said Department shall make contracts for and shall supervise
8 the making, erection and construction of such permanent improvements.

Sec. 5. Whenever any appropriation for Contingencies is herein made to
2 any of the Departments created by "The Civil Administrative Code of Illinois,"
3 approved March 7, 1917, in force July 1, 1917, as amended, no contract shall
4 be entered into or obligation incurred for the expenditure of such appropriation
5 until after the purpose and amount of such expenditure have been approved
6 in writing by the Governor.

Sec. 6. The appropriations herein made are subject to the provisions of
2 "An Act in Relation to State Finance," approved June 10, 1919, in force July
3 1, 1919.



1 Adopted June 13, 1921.

AMENDMENT NO. 1.

Amend printed House Bill No. 865, on page 12, in item 10, line 2, by insert-
2 ing after the words "The Common School Fund" the following words: "also
3 called State School Fund."

AMENDMENT NO. 2.

Amend printed House Bill No. 865, on page 76, by adding at the bottom
2 of said page after line 3 of item 105, the following words and figures:

3 “(105½) *State Athletic Commission.*

4 To the State Athletic Commission:

5	FOR SALARIES AND WAGES OF assistants, clerks	
6	and inspectors.....	\$12,000 per annum
7	For OFFICE EXPENSES.....	\$ 4,000
8	For TRAVEL.....	\$ 5,000
9	For EQUIPMENT.....	\$ 2,000
10	For Contingencies.....	\$ 4,000
11	(Total for State Athletic Commission, \$39,000)."	

AMENDMENT NO. 3.

Amend printed House Bill No. 865, on page 52, by inserting after line 4
2 of item 75, the following words and figures:

3 “(75½) To the Department of Public Works and Buildings:
 4 For the necessary expenses of the committee created pursuant to
 5 House Joint Resolution No. 41, Fifty-second General Assembly, for
 6 the carrying out of the provisions of that resolution.....\$15,000.”

AMENDMENT NO. 5.

Amend House Bill No. 865, by striking out before the words “per annum”
 2 in line 5 of item 10 on page 12 of the printed bill, the amount \$8,000,000.” and
 3 inserting in lieu thereof the amount “\$12,000,000.”

AMENDMENT TO

52d G. A. HOUSE BILL NO. 865 IN SENATE

1921



1 Offered by Committee on Appropriations, June 15, 1921.

2 Ordered printed.

AMENDMENT NO. 1.

Amend House Bill No. 865 in Senate as printed, by striking out the figures "12,000,000." in line 6, paragraph 10, page 12 and insert in lieu thereof the figures "\$10,000,000".



- 1 Introduced by Mr. Kauffman (by request) June 9, 1921.
- 2 Read by title, ordered printed and referred to Committee on Efficiency and Economy.

A BILL

For an Act to amend Section 20 of an Act entitled, "An Act to revise the law in relation to the practice of the art of treating human ailments," approved June 25, 1917; in force July 1, 1917.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That Section 20 of an Act entitled, "An
3 Act to revise the law in relation to the practice of the art of treating human ail-
4 ments," approved June 25, 1917; in force July 1, 1917, be and the same is hereby
5 amended so as to read as follows:

Sec. 20. Any person shall be regarded as practicing medicine or treating
2 human ailments, within the meaning of this Act, who shall treat or profess to
4 treat, operate on or prescribe for any physical ailment or any physical injury
5 to or deformity of another. This section shall not be construed to affect the
6 following cases:

- 7 1. The administration of domestic or family remedies in cases of emer-
8 gency;

9 2. The practice of dentistry and dental surgery by any legally licensed
10 dentist exclusively engaged in practicing dentistry and dental surgery.

11 3. The practice of pharmacy by any legally registered pharmacist, regis-
12 tered assistant pharmacist, or registered local pharmacist exclusively engaged
13 in practicing pharmacy;

14 4. The practice of medicine and surgery by any surgeon of the United
15 States Army, Navy or public health service in the discharge of his official duties;

16 5. The treatment of the sick or suffering by mental or spiritual means,
17 without the use of any drug or material remedy;

18 6. The practice of optometry by any legally licensed optometrist exclu-
19 sively engaged in practicing optometry.

20 7. *The treatment of the sick and suffering without the use, either intern-*
21 *ally or externally, of any drug, medicine or material remedy and without the*
22 *use of surgery, by the Hughey method or system of drugless healing.*



- 1 Introduced by Committee on Appropriations, June 9, 1921.
- 2 Read at large a first time, ordered printed and to a second reading.

A BILL

For an Act making an appropriation for the purpose of refunding to counties the amount paid or to be paid by such counties for roads either completed or under construction, when such roads are accepted and utilized as a part of the State-wide system of durable, hard-surfaced roads.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* The sum of two million, eight hundred
3 sixty-nine thousand, two hundred eighty-nine dollars and eighty-seven cents
4 (\$2,869,289.87), or so much thereof as may be necessary, is appropriated to the
5 Department of Public Works and Buildings payable from the Road Fund for
6 the purpose of refunding to counties the cost of construction or share thereof
7 paid or to be paid by counties for durable hard-surfaced roads or parts thereof
8 whether now completed or, under construction for which contracts have been
9 awarded, to be paid if and when such roads are accepted and utilized by the
10 State as hereinafter provided.

Sec. 2. No part of the amount herein appropriated shall be allotted and
 2 paid for any road or part thereof until and unless such road or part thereof has
 3 been accepted and utilized by the Department of Public Works and Buildings
 4 as a part of the State-wide system of bond-issue roads, in accordance with the
 5 provisions of Section 10 of "An Act in relation to the construction by the State
 6 of Illinois of a State-wide system of durable, hard-surfaced roads upon public
 7 highways of the State and the provision of means for the payment of the cost
 8 thereof by an issue of bonds of the State of Illinois," approved June 22, 1917,
 9 in force July 1, 1917, and ratified by the people November 5, 1918.

Sec. 3. The appropriation herein made shall be payable in not to exceed
 2 the respective amounts specified to the following counties:

3 Bureau	\$ 6,055.66
4 Carroll	15,090.56
5 Clinton	6,745.00
6 Coles	7,869.21
7 Cook	492,675.23
8 DeKalb	60,841.26
9 Edgar	15,298.92
10 Franklin	10,493.36
11 Fulton	8,030.00
12 Grundy	75,252.00
13 Jackson	5,909.92
14 Jersey	2,930.72
15 Jo Daviess	20,763.69
16 Kane	84,480.35
17 Kankakee	62,881.21
18 Lake	388,961.15
19 LaSalle	114,736.57
20 Lawrence	19,757.21

21	Lee	25,004.86
22	Livingston	13,912.26
23	McHenry	10,647.17
24	Macoupin	127,876.00
25	Madison	389,115.77
26	Marshall	4,307.27
27	Menard	58,894.30
28	Ogle	26,288.20
29	Peoria	170,329.32
30	Rock Island	15,558.05
31	St. Clair	133,153.61
32	Sangamon	164,639.00
33	Shelby	18,573.03
34	Whiteside	4,732.04
35	Will	183,290.57
36	Winnebago	124,196.40
37	Total	<u>\$2,869,289.87</u>

Sec. 4. The money herein appropriated to be paid to the respective counties shall be used, at the option of such county, either in the payment of any county bonds issued by such county and used to improve its State Aid Roads, or in the improvement of any one or more of its improved or unimproved State Aid Roads, by constructing thereon a durable hard-surfaced road, under the direction and to the satisfaction of said Department of Public Works and Buildings.

Sec. 5. This appropriation is subject to the provisions of "An Act in Relation to State Finance," approved June 10, 1919, in force July 1, 1919.



1 Introduced by Mr. J. H. Francis, June 10, 1921.

2 Read by title, ordered printed and referred to Committee on Efficiency and
Economy.

A BILL

For an Act in relation to the regulation of the practice of suggestive therapeutics.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That it shall be unlawful for any person
3 to practice or attempt to practice any method or system of treating human ail-
4 ments by suggestive therapeutics without first obtaining a license under the
5 provisions of this Act.

Sec. 2. The term "Suggestive Therapist" as used in this Act shall mean
2 and apply to, any and all persons who treat, or profess to treat, human ailments
3 without the use of drugs or medicine or operative surgery. The term "Sug-
4 gestive Therapeutics" as used in this Act shall mean, and apply to, the means,
5 methods or system taught in any chartered or established school, and which
6 may be used or practiced in the treatment of human ailments, without the use
7 of any drugs, medicine or operative surgery.

Sec. 3. That any person over twenty-one years of age shall be licensed as
2 hereinafter provided to practice the science of Suggestive Therapeutics as de-

3 fined herein, upon full compliance with the following conditions and require-
4 ments:

5 (a) He shall hold and possess, in his own name and right, a certificate or
6 diploma issued by some chartered or established school wherein is taught some
7 distinctive method or system of Suggestive Therapeutics.

8 (b) Such certificate or diploma shall show and certify that the same has
9 been earned by such person, by regular attendance upon the prescribed course
10 of personal study required in and by such school.

11 (c) Such certificate or diploma shall further show and certify that the
12 holder thereof is duly and properly qualified to practice the method or system
13 of Suggestive Therapeutics taught in such school.

Sec. 4. Any person desiring to practice the science of Suggestive Thera-
2 peutics in this State shall submit such certificate or diploma to the County
3 Judge of the county in which he desires to establish an office. Such person shall
4 also furnish satisfactory evidence of good character and good citizenship, and
5 shall also pay to the clerk of said county the sum of twenty-five dollars
6 (\$25.00) for the use of the public schools of said county and thereupon said
7 County Judge shall issue to such person a license to practice Suggestive Thera-
8 peutics in this State.

Sec. 5. Every person securing a license under this Act shall have the same
2 recorded in the office of the Recorder of Deeds in and for the county where he
3 maintains his office and engages in the practice of Suggestive Theraputics, and
4 upon removal to another county for the purpose of continuing such practice,
5 he shall re-file said license in the office of the Recorder of Deeds in and for the
6 county to which he removes.

Sec. 6. No license shall be issued under the provisions of this Act to any
2 graduate of any school or institution teaching any district or special method or
3 system of Suggestive Therapeutics, where such graduate may, under any law of

4 this State, obtain a license to practice the method or system taught by such school
5 or institution.

Sec. 7. Any person who shall practice or attempt to practice the science of
2 Suggestive Therapeutics; or who shall by or through any advertisement or by
3 any representation profess to cure or treat human ailments by any Suggestive
4 Therapeutic method, means or system, without first having complied with the
5 provisions of this Act, shall be deemed guilty of a misdemeanor, and upon con-
6 viction thereof shall be punished by a fine of not more than two hundred dollars
7 (\$200.00), or by imprisonment in the county jail for a period not to exceed
8 sixty days, or by both such fine and imprisonment. Violations of this section,
9 occurring on different days shall constitute separate and distinct offenses and
10 may be prosecuted as such.

Sec. 8. Any license issued under the provisions of this Act may be revoked
2 by the Court issuing the same for any of the following causes:

3 (a) Conviction of felony, as shown by a certified copy of the record of
4 such conviction.

5 (b) Gross malpractice or unprofessional conduct.

6 (c) Continued practice when the practitioner is himself afflicted with an
7 infectious or contagious disease.

8 (d) Advertising by means of any false, fraudulent or deceptive representa-
9 tions as to skill or ability to cure the afflicted.

10 (e) Habitual drunkenness, or habitual use of morphine, cocaine or other
11 habit forming drugs.

12 (f) Presenting to the Court issuing such license, a false, fraudulent or
13 forged certificate or diploma purporting to have been issued by some chartered
14 or established school teaching the science of Suggestive Therapeutics.

15 (g) Failure to conspicuously display such license in his or her office.

16 (h) Appending to his or her name the title "M. D.," "Doctor of Medi-
17 cine," "D. O.," "Doctor of Osteopathy," "Surgeon," or any other title what-

18 soever which could imply from its use that such licensee practiced medicine or
19 surgery or any system or method of treating human ailments other than that
20 of Suggestive Theraptutics as defined in this Act.

21 (i) Using or prescribing any drug or medicine or performing any sur-
22 gical operation, in the treatment of any human ailment or physical injury.

Sec. 9. Upon the satisfactory proof showing the loss or destruction of any
2 such license, the Judge of the County Court wherein such lost or destroyed
3 license was issued, may issue to such licensee a duplicate license bearing the
4 same date of issue as the original license. All licenses or duplicate licenses shall
5 be valid for one year from the date thereof. At the expiration of the period of
6 one year, each licensee who desires to continue the practice of Suggestive
7 Therapeutics shall apply to the County Court of the county in which he has his
8 office and procure a renewal of his or her license. For such renewal and such
9 duplicate license so issued such licensee shall pay to the clerk of said county the
10 sum of five dollars for the use of the public schools of said county.

Sec. 10. Upon the filing of a verified complaint in the County Court of the
2 county wherein such license was issued, the name of the People of the State of
3 Illinois, charging any licensed Suggestive Therapeutist with the violation of
4 any of the provisions of Section 8 of this Act, a summons shall issue com-
5 manding such licensee to apper at a time fixed by the Judge of said court, in
6 term time or vacation, and to show cause, if any there be, why said license should
7 not be revoked. Such summons shall be personally served, as other summons
8 in suits at law, and not less than ten days before said complaint is set for
9 hearing. Upon the return day of said summons, if the defendant has been
10 duly served, he shall be required to plead or demur to said complaint instanter.
11 If the complaint sufficiently charges a violation of Section 8, the defendant shall
12 be required to file his answer and the court shall set said cause for hearing
13 without unnecessary delay. Either the complainant or the defendant may de-

mand a trial by jury and the cause shall be tried according to the usual practice in cases at law. If the charges in said complaint are established, the court or jury, as the case may be, shall so find and upon such finding said license shall be at once revoked and the defendant adjudged to pay the costs of said proceeding. If the issues are found for the defendant, the complainant shall be dismissed at the cost of the complainant, provided that no costs shall be taxed against the complainant where such complaint is acting officially as the legal agent or representative of municipalities or of the State government. All costs shall be taxed as similar costs are allowed and taxed in suits at law. Appeals shall be allowed to either party in like manner as appeals are allowed in suits at law.

Sec. 11. If the defendant has removed from the county so that personal service of summons cannot be made upon him, service may be made by publication of notice as in cases in chancery, and when such notice by publication has been given the cause shall proceed as though the summons, provided for in Section 10 of this Act, had been personally served upon the defendant.

Sec. 12. The license provided for herein shall not authorize the holder thereof to use any drugs or medicines, or prescribe the same, nor authorize such licensee to perform any operations in surgery or obstetrics. *Provided*, that nothing in this Act shall be construed to prohibit any drugless healer from using drugs and medicines, or performing surgical operations, or practicing obstetrics, after first having obtained a license from the legally established Boards of Medical Examiners who are or may be authorized by the laws of this State to issue such licenses.

Sec. 13. Nothing in this Act shall be construed as prohibiting any legally licensed practitioner of medicine or surgery from treating human ailments by any of the methods, means or systems used by Suggestive Therapeutics. °

Sec. 14. All persons granted licenses under this Act shall be subject to the
2 State and municipal regulations, relating to the control of contagious disease, the
3 reporting and certifying of births and deaths and all matters pertaining to pub-
4 lic health, and all such reports shall be accepted as legal.

Sec. 15. Nothing in this Act shall be construed as applying to those who
2 treat human ailments by purely mental or spiritual means.

Sec. 16. The practice of Suggestive Therapeutics by licensees under the
2 provisions of this Act is hereby declared not to be the practice of medicine or
3 surgery within the meaning of an Act to revise the law in relation to the practice
4 of the art of treating human ailments, approved June 25, 1917.

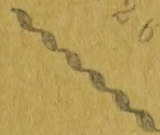
UNIVERSITY OF ILLINOIS LIBRARY

JAN 26 1922



UNIVERSITY OF ILLINOIS LIBRARY

JAN 26 1922

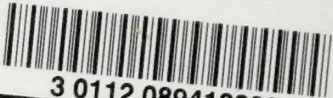


UNIVERSITY OF ILLINOIS LIBRARY

JAN 26 1922



UNIVERSITY OF ILLINOIS-URBANA
Q. 328.773 BIH C002 v.52:651-866(19
House bills (Introduced in the) General



3 0112 089412289